

12-1979

Maine Townsman, December 1979

Maine Municipal Association

Follow this and additional works at: http://digitalmaine.com/maine_townsman

Recommended Citation

Maine Municipal Association, "Maine Townsman, December 1979" (1979). *Maine Townsman*. 2.
http://digitalmaine.com/maine_townsman/2

This Text is brought to you for free and open access by the Augusta, Maine at Digital Maine. It has been accepted for inclusion in Maine Townsman by an authorized administrator of Digital Maine. For more information, please contact statedocs@maine.gov.

MAINE STATE LIBRARY

December, 1979

MAINE townsman

The Magazine of the Maine Municipal Association

*Seasons
Greetings*

Workers' Comp Fund Ends Successful First Year

***** A Special Report From MMA Group Services *****

The first year of the Maine Municipal Association Workers' Compensation Fund was a success not only in terms of the claims results but also in terms of the participation. Starting with 11 members on Nov. 1, 1978, the fund grew through the year to 173 members at year's end with Annual Premium in excess of \$1.5 million. The Fund had 173 members during the year which began November 1, 1978 and ended November 1, 1979.

Ninety-five percent of the Fund membership incurred claims cost less than their own individual claims fund payments. These members can expect to share in the dividend when it is declared after November 1, 1980. Currently, that dividend averages approximately 50% of the premiums paid by each fund member who ended the year with a positive claims fund balance.

As the year end premium audits are completed and the workers' compensation claims continue to be closed over the next ten months, we will be able to develop a more accurate accounting of the performance of the fund for the 1978-79 year. We would not anticipate that the final figures will differ significantly from those indicated above.

At the Maine Municipal Association's conference in October, the MMA Workers' Compensation Fund held it's first annual meeting. The claims and loss prevention staff of Penn General Service Corporation and Executive Director of MMA, Chris Lockwood explained both the progress and activity of the fund.

If you would like some more detailed information about how the Maine Municipal Association Workers' Compensation Fund can save money for you, call Kent Hotham, MMA Group Services at 1-800-452-8786 or Larry Sallinger or Dave Scheffler, Penn General Service Corporation at 781-4555.

contents

EXECUTIVE COMMITTEE

PRESIDENT
RONALD E. STEWART
City Manager, South Portland

VICE PRESIDENT
DANA F. CONNORS
City Manager, Presque Isle

DIRECTORS

ARCHIE A. STEVENS
Selectman, Skowhegan
PAUL A. DEVINE
City Manager, Rockland
BARBARA G. McKERNAN
Councilor, Bangor
ROBERT BRACKETT
Councilman, South Berwick
NORMAN R. NESS, JR.
Town Manager, Bethel
LLEWELLYN C. SMITH
Mayor, Portland
WILFRED BELL
Mayor, Caribou

PAST PRESIDENT
ALDEN L. INGRAHAM
Augusta

ADVISORY COMMITTEE

ALPHONSE DIXON
Town Manager, Fort Fairfield
EDWARD GAGNON
Town Manager, Winslow
LUCIEN GOSSELIN
Finance Director, Lewiston
H. DALE GREEN
Town Manager, Fairfield
JOHN HENCHEY
Town Manager, Cape Elizabeth
HAROLD PARKS
Administrative Assistant, Westbrook
ANN PETERS
Councilor, Waterville
STEVEN SAX
Councilman, Calais
RICHARD MALONE
Selectman, Westport
GRACE EMMERTON
Maine Association of Assessing Officers, Norway
MEREDITH MURRAY
Maine Association of Conservation Commissions, New Gloucester
BRIAN CHERNACK
Maine Association of Planners, SMRPC
WILLIAM CHIPMAN
Maine Building Officials & Inspectors Association, Windham
PHIL BUTTERFIELD
Maine CAP Directors Association, PROP
JOSEPH GRAY
Maine Chapter of NAHRO, Portland
CHARLES PERRY
Maine Chapter of American Public Works Association, Portland
PETER MADOR
Maine Chiefs of Police Association, Auburn
PHILIP MCGOULDRIK
Maine Fire Chiefs Association, South Portland
BENITA DAVIS
Maine Library Association, Bangor
PAUL LABRECQUE
Maine Municipal Tax Collectors & Treasurers Association, Lewiston
KEITH WILLARD
Maine Recreation & Parks Association, Machias
EDNA WENTWORTH
Maine Town & City Clerks Association, Kennebunk
CARL BETTERLEY
Maine Town & City Management Association, Scarborough
HAZEN EMERY
Maine Chapter of International Association of Assessing Officers, Brunswick
MARY ELLEN EMERY
Maine Welfare Directors Association, Houlton
LILLIAN CARON
Maine Conference of Mayors, Lewiston
JACQUES WEINSTEIN
Maine Community & Economic Development Directors Association, Penquis CAP
CECILE LAVASSEUR
Maine Local Health Officers Association, Lewiston
DENNIS CARON
Wastewater Control Association, Wells
ALBERT THOMAS
Northern Penobscot County Municipal Association, Lincoln
ROBERT PERRY
Oxford County Municipal Association, Hartford
ROBERT GARLAND
Somerset County Municipal Association, Anson
ALPHONSE DIXON
Aroostook County Municipal Association, Fort Fairfield
E. JEFFREY BARNES
Washington County Municipal Officials Association, Machias

Interlocal Cooperation	5
Through formal and informal agreements, municipalities are finding it is more efficient and less expensive to work cooperatively to solve problems and meet the needs of their citizens.	
Regionalism	8
Regional organizations are a little-understood but proliferating phenomenon of government. If used effectively by local governments, they can provide much needed help.	
County Reform	11
Reformation and county government will be a major consideration before the Legislature which convenes next month.	
The Albatross Complex	12
Municipal managers are offered advice on avoiding the "Albatross Complex" by a professor who has been studying the manager system for half a century.	
Welfare Case	20
The ruling of a Superior Court judge has upheld maximum levels for general assistance.	
Legislative Preview	21
While bills allowed before the upcoming legislative session are being severely limited, there will be several of importance to municipalities.	
Energy Mobilization Board	22
The EMB has been dubbed a "Legislative Frankenstein" that could have particular significance for rural, coastal, water-abundant Maine.	
Executive Committee	24
New appointments were made, and discussion of MMA's financial management program and budget was held on Dec. 5.	
People	25
News	27
Legal	28
TOWNSMAN Index for 1979	29

MAINE TOWNSMAN (ISSN 0025-0791) is published monthly by the Maine Municipal Association, Community Drive, Augusta, Maine 04330. Second-class postage paid at Augusta, Maine, and at additional mailing Offices. All rights reserved. Information, policies and opinions in this publication do not necessarily reflect the views or policies of the Maine Municipal Association. Subscription price: \$9 per year.

Michael L. Starn, Editor

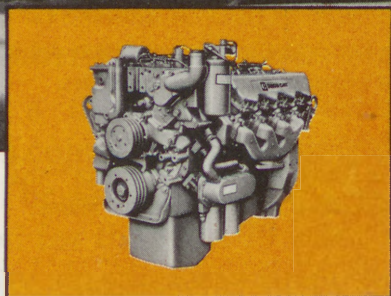
Kenneth L. Roberts, Assistant Editor

Karen I. Thorne, Circulation Manager

Chris Lockwood, Executive Director

Cover Photo by Nance Trueworthy

NO. YARMOUTH FINDS CAT DIESEL BEST



THE CATERPILLAR 3208 TRUCK ENGINE

The North Yarmouth Fire Department operates a fire truck powered by a Caterpillar diesel truck engine. Fire Chief Dick Baston says, "We've never had a problem with the Cat engine and we can't afford to. We count on the dependability of our Cat diesel; it starts everytime we need it."

Caterpillar mid-range diesel engines feature: excellent fuel economy, long life and minimal maintenance. Please contact the Arnold Machinery Co. for additional information and let our truck engine specialist assist you with truck specifications.

173 Presumpscot Street
Portland, Maine
Dial (207) 775-3121



ARNOLD
MACHINERY CO.
YOUR **CATERPILLAR** DEALER
Caterpillar, Cat and  are Trademarks of Caterpillar Tractor Co

1070 Hammond Street
Bangor, Maine
Dial (207) 942-4666

A graphic consisting of several overlapping squares of various sizes, some solid and some outlined, arranged in a cluster around the title.

Interlocal Cooperation

By Kenneth L. Roberts
Assistant Editor

Cooperation. It can generally be defined as two or more persons or groups working together for their mutual benefit. People have been cooperating with each other since the beginning of mankind to accomplish mutual goals, and meet mutual needs.

In Maine, even before it became a state, municipalities were involved in many cooperative efforts such as the militia, clearing roadways, and providing circuit-riding preachers and teachers, to name a few.

These cooperative efforts continue today, many of them more formally structured, many informal, and some involving other agencies, groups or levels of government which is only a recognition of the fact that sometimes cooperative efforts require more resources than are available within even two or more municipalities.

While cross-river rivalries have in the past been more common than cross-river cooperation, the past couple of decades have wrought significant changes in this attitude. One of the better examples can be found in Lewiston-Auburn.

These two cities are joined by much more than bridges over the Androscoggin River. They have a joint 911 emergency call service combined with a mutual aid pact for police, fire and emergency services. They have a joint L-A Water Pollution Board which oversees their water treatment facility. They

have a L-A Airport Committee which oversees their mutually-owned and operated airport.

Perhaps their most innovative cooperative effort revolves around that airport. The Twin Cities have executed an agreement in which they will commonly share in the expenses of promoting and developing the Airpark Industrial Development complex, and sharing in the revenues which result from that mutual economic development.

Two other cross-river communities have just initiated a new step in cooperation under the auspices of the Bangor-Brewer Area League of Women Voters. The members of newly-elected Bangor and Brewer City Councils and School Committees and other municipal officials were invited to participate in a joint forum to get acquainted, discuss their concerns, and exchange information.

The first session was not very well attended by the public, but most of the members of the elected bodies of both communities were present. It was successful enough that future meetings are planned and it is hoped that greater citizen participation can be obtained.

Mrs. Mary-Ellen Maybury, Brewer, of the LWV said "This is first time we know of that this kind of exchange has taken place." And Mrs. Leiba Frankel, Bangor, of the LWV said "Our organization paralleled the meeting to the building of the new bridge between the two communities. It is a bridging of a dif-

ferent kind of gap." (See photo).

On a more practical basis, the town of Machias, Princeton and Woodland recently joined in a cooperative purchasing program for new culverts. The communities estimated that the total cash, anti-inflation, and administrative savings of the purchase of about \$5,000 worth of culverts was about \$1,500. That cooperative effort was so successful the communities plan to extend it to the purchase of office supplies and road salt.

Examples abound of the inter-municipal cooperative efforts to establish police, fire and ambulance services, and one of the most recent occurred in Hollis where voters at a special town meeting decided to connect into the Buxton fire and rescue dispatching center at a cost of \$6,300 per year.

Previously, Hollis' dispatching service had been handled by Central Maine Power Co. personnel at the West Buxton power station. Hollis residents opted to connect into the Buxton system which is operated from a citizens home.

Brunswick and West Bath are entering the second year of a joint shellfish managing program. Funded under a grant from the State Planning Office, the program calls for surveying the condition of clamflats, transplanting seed clams from crowded areas to depleted ones, monitoring the growth of transplanted clams, enforcement of the joint shellfish ordinance, and water quality testing to determine sources of pollution.

An example of a joint state and local cooperative effort is under construction in Bridgton. It involves building a home for 12 mentally retarded adults, currently living in crowded conditions at Pineland.

Combatting black flies in Maine in June is enough to bring all citizens together. It has done just that in Bradford, Lincoln, Millinocket, Brownville, East Millinocket, Enfield, Milo, Old Town and Orono.

Through a federal grant, funds from Piscataquis and Penobscot Counties, and some local funds, scientists from UMO are studying the problem of the black flies and what can be done about them, given the fact that massive doses of pesticides and insecticides cannot be used to get rid of them as they hatch on the shores of water bodies, for environmental reasons.

Through the study, it is believed a relatively new species of black fly has been found to emanate from the Penobscot River. But due to environmental constraints, and recent problems associated with spraying the spruce budworm and blueberry patches, the most Maine citizens may come to hope for is development of an ointment to protect themselves from the pesky, omnipresent black fly.

Solid waste. If anything in the last ten years has started Maine local government officials thinking in terms of cooperation, this may be IT. Under a mandate to cease all open burning dumps by Jan. 1, 1980, municipalities have encountered expensive and sometimes unsolvable problems of siting and aquifers, and developing alternatives to more than 200 years of ridding themselves of their ever-mounting wastes.

Some communities have joined to solve the solid waste dilemma:

Rockport/Camden/Lincoln/Hope have contracted with a private firm to operate a composting, shredding, recycling operation.

Waterville is permitting Winslow to use its landfill until the two communities, and perhaps others, combine to develop a solid waste-to-steam generating plant for a local industry, similar to the one in . . .

next year and to which 15 other communities have contracted to transport their wastes, two from as many as 40 miles away, that will generate steam to be purchased by a plastics firm.

Biddeford is permitting the Town of Lyman to use its landfill for six months at \$1,000 a month, after Dayton voters at town meeting terminated their agreement with Lyman to use their landfill because it was shortening its life.

Lewiston's new shredding operation has been working exactly as it was expected to when it opened about 15 months ago, and Lisbon and Gorham have contracted with Lewiston to haul their wastes to the successful Lewiston operation, which includes recycling.

There are other examples of inter-local agreements and cooperation in the field of solid waste too numerous to mention, but suffice it to say that if "Necessity is the mother of invention," then in Maine, solid waste is the mother of cooperation.

Mapleton, Castle Hill and Chapman in Aroostook County several years ago realized they each had a need for a town manager, but none of them could individually afford one. So they share a manager and a common municipal building.

Working in conjunction with the Androscoggin Regional Planning Commission, the towns of Rumford, Mexico,

Dixfield, Peru, Roxbury and Hanover have formed an Economic Development Association which is packaging a new development strategy that recognizes that any development in one of the six towns is bound to be beneficial to the others.

Transportation for the elderly, handicapped and low income is being recognized increasingly as a need between communities and Western Maine Transportation Services Inc. in Oxford County is an example of federal, county and local resources being used to fill that need in most every community in the region.

More than 14 communities within a 10-mile radius of the Maine Yankee nuclear power plant in Wiscasset have been cooperating over the past few months in developing an evacuation plan, and have had the cooperation of communities further from the plant who would have to house, clothe and feed those persons who might be evacuated in the event of an emergency at the nuclear plant.

In cooperation with the Aroostook County Action Program, the communities of Patten, Oak Hill, Island Falls and Bridgewater are provided an outreach worker one day a week to come to the communities and meet with citizens to determine their eligibility for general assistance, and guide them to programs

MMA PERSONNEL SERVICES

- Labor Contract Negotiations
- Representation at Unit Determination Hearing
- Labor Contract Administration
- Grievance Resolution
- Pay Studies
- Position Classification Studies
- Training Coordination
- Personnel System Audits
- Personnel System Design
- Police Recruiting - Testing
- Town/City Manager Executive Search Assistance
- Manager Evaluation Facilitation
- Affirmative Action Planning

For more information call 1-800-452-8786 and ask for Brian Braley, George Hunter, or Sarah Scales.

Auburn, which should be completed

which are available and for which they might be eligible.

An area where Maine municipalities have chosen not to join together is municipal investment pooling. Attempts have been made legislatively to establish municipal investment pools through the State, but these have been unsuccessful.

State-managed municipal investment pools have been established in 11 states, including Massachusetts and Connecticut in New England. These have all proven beneficial to the participating municipalities in those states, and in view of the tight financial bind in which all Maine municipalities find themselves today, perhaps municipal investment pooling is one of the cooperative ventures on the horizon.

The Advisory Commission on Intergovernmental Relation (ACIR) has supported creating municipal investment pools, stating they have "made a substantial contribution to improve (financial) management, increased interest earnings, greater access to market, investment flexibility, and operating economies of participating local governments."

Cooperation between communities in education and cultural services has been a tradition in Maine, with Community School Districts, SADs, and others, but it has reached a new high with the development of a computerized system which makes virtually every book, resource material, and other educational and research materials in the nation available to any Maine citizen upon request. This service is particularly important to the 200,000 Maine citizens who live in communities without a local library, and another 150,000 Mainers who live in communities without adequate library services.

It would require an entire article to totally describe the system, but in brief, this is basically how it works:

Computers are in place in the Bangor, Portland, and State of Maine (Augusta) libraries. If a particular publication is not available in the library from which a citizen holds a card, that library can call either of the three regional libraries which serve that district, toll free, and request the publication. If the regional library does not have the publication, it



Elected officials in Brewer and Bangor, represented by Thomas Mercier, a new city councilor in Brewer (left) and new Bangor Mayor Albert Wentworth (right) held a get-acquainted meeting last month in an effort to have the communities work more cooperatively in addressing mutual concerns. The session was sponsored by the Bangor-Brewer Area League of Women Voters, represented by Mary-Ellen Maybury of Brewer (left center) and Leiba Frankel of Bangor (right center).

can use the computer to find which libraries have it, request the publication, and it will be sent and made available to the person needing it.

The system, in which all the university libraries in Maine also participate, can also be used for cassettes, audio-visual materials, films, and for simple information requests.

Most Maine librarians and educators are undoubtedly familiar with this valuable education and cultural resource available to Maine citizens, but many people may not be aware that this service provided cooperatively between communities and the state is currently on-line, and they should be.

In a predominantly rural state such as Maine, cooperation between municipalities in providing most services is essential if the needs of the citizens are to be met efficiently and economically.

That is perhaps best demonstrated through the voluntary membership of 478 Maine municipalities in the Maine Municipal Association, which provides services, assistance, counsel, and cost-saving programs to all its member communities, to help municipal officials better serve their citizens, through cooperation.

HUD Grant

The Department of Housing and Urban Development is accepting applications from neighborhood organizations for grants for eligible neighborhood revitalization projects which directly benefit the residents of low-and moderate-income rural neighborhoods. This grant announcement is the first of two cycles of rural project grants to be solicited during fiscal year 1980.

For purposes of this federal grant program, rural refers generally to areas with a population of less than 10,000 people.

Applications may be submitted between November 21, 1979 and March 21, 1980. Applications submitted after March 21, 1980 will not be considered for this first cycle of project grants.

For further information contact: Kay Rand at MMA or Frank Slezak, Program Support Division, Office of Neighborhood Development, Room 3238, Department of Housing and Urban Development, 451 7th Street, S.W., Washington, D.C. 20410. Telephone: (202) 755-6893.



Regionalism

By Michael L. Starn
Editor

Regionalism. Volumes and volumes of material have been written to explain it, yet it remains the most misunderstood term in the dictionary of governmental jargon.

The Advisory Commission on Intergovernmental Relations (ACIR) between 1973 and 1974 published a six-volume study of substate regionalism, each volume approximately 400 pages. By Executive Order in October 1977, then-Governor James Longley commissioned a Task Force on Regional and District Organizations to study substate regionalism in Maine. A year later, a 295-page report was issued. John Forster, former executive director of the Southern Kennebec Valley Regional Planning Commission, wrote his master's degree thesis (216 pages) on "Substate Regionalism In Maine."

Despite these notable efforts to gather and disseminate information about regionalism, the public does not understand the concept and is cynical of it. Many local officials who represent this public and who also lack understanding of regionalism have unfavorable attitudes toward the concept.

An example of this lack of public understanding and the general confusion over regionalism can be found in a speech delivered on Nov. 18, 1975, by State Representative Everett Dam, co-chairman of the County and Local Government committee of the 107th

Maine Legislature to the Skowhegan Business and Professional Women's Club on the subject of regionalism. The following morning, the Waterville Sentinel carried this account of Dam's remarks, "By executive order, the United States was divided into ten regions, placing this area in Region I with executive offices in Boston. The appointment of all officials would come out of that office and the first aim of the plan is to get all elected officials off the ballot." This quote is an indication of the strong feelings aroused by a discussion of regionalism and also of the confusion about what regionalism is.

According to ACIR, in 1977 there were 25,000 special districts in the United States, growing at a rapid rate. This compares to 39,000 units of local government, growing at a much slower rate. Hence, the conclusion must be reached that regional forms of government (if this is not already the case) will soon out-number municipal governments.

Unlike many other states, Maine has been extremely cautious in its acceptance and support of substate districts. The principle reason this has occurred is not because of the public's cynicism toward regionalism but rather because Maine's state and local officials have traditionally followed the maxim, "Keep it simple and understandable."

Regionalism with the myriad of governmental grant programs can and has become very complex. This complexity has created problems of over-

lapping jurisdictions and duplicative services being provided by regional agencies.

ACIR recommends that states and local governments use the criteria of economic efficiency, fiscal equity, political accountability and administrative effectiveness in sorting out the need for regional organizations.

In Maine, regional organizations, or substate districts, can be classified into three groupings: (1) those created and supported by the Federal government, (2) those created and supported by State government, and (3) those created and supported by Local government. Of course, there are instances of overlapping, primarily with the federally-funded agencies which have requirements for local matching funds and local officials' participation.

Specific federal programs stimulated creation of and support for the first group. As of 1976, ACIR reports 32 different federal programs which financially support substate districts. These substate districts were formed to serve functional purposes in the areas of community and economic development, transportation, planning, social services, and protective services. Examples of substate districts under this classification include regional planning commissions, community action agencies, soil and water conservation districts and economic development districts.

Substate districts which fall under the category of State-supported are generally agencies created by state de-

partments had directly responsible to the parent agency. This was not only an attempt by the state government to provide for more efficient delivery of state services but was also a move to decentralize some state services. Examples are welfare districts (Dept. of Human Services), wildlife management areas (Dept. of Inland Fisheries and Wildlife), and state police districts (Dept. of Public Safety).

Locally-supported, substate districts number 328 and include airport authorities, school districts, sewer and sanitary districts, water districts and port authorities. School districts and sewer and water districts comprise two-thirds of the total number of locally-supported, substate districts.

ACIR says regional governmental arrangements arise when (1) governmental functions or problems do not coincide with existing governmental boundaries, and (2) public policies and/or programs are planned and/or operated at the regional level.

A burgeoning substate district in the locally-supported category is the solid waste management district. Ronald Howes, director of the solid waste management division of the Department of Environmental Protection, told municipal officials at the 1979 MMA convention that the number of solid waste disposal sites in Maine had to be reduced. The only way to do this was through consolidation.

Four communities in Cumberland County, with the help of the Greater Portland Council of Governments, led the way in this field with formation in 1975 of Regional Solid Waste Systems, Inc.

This regional agency serves the solid waste management needs of Portland, South Portland, Cape Elizabeth and Scarborough. To date, it is the only formal, interlocal structure dealing with the solid waste problem on a regional level. However, it should be noted that informal efforts have been launched in Lewiston and Auburn and some interlocal cooperation exists between other Maine communities.

Regional Waste Systems, Inc., relies solely on the financial support of the four communities responsible for its

formation.

Regional Waste Systems, Inc., is an example of a single purpose district—its single purpose being solid waste management. Relatively little opposition has been voiced concerning the formation of these types of districts since often the purpose for which they were created was placed upon local government by a state or federal mandate. One problem that has surfaced, however, has been the apparent willingness of local officials to abdicate their responsibilities to a non-political, regional unit of government for political reasons. These political reasons being that the district often levies a fee for its service thereby circumventing the need to raise tax dollars to support it, and that if the district makes a mistake the local official doesn't have to take the heat for it.

More controversial and less understood has been the multi-purpose districts, such as regional planning commissions. Covering the entire state, there are 11 regional planning commissions (including GPCOG) in Maine.

The relationship between RPCs and local governments varies greatly as might be expected when dealing with 498 different local units. The most important point to make here is that general local support is necessary in order for regional planning to survive. It is only through the affirmative action of local governments that regional planning commissions can be formed and maintained. Since RPCs are voluntary associations of municipalities, there is no coercive power to require membership in a commission. In the past, various Federal grants-in-aid programs provided bonuses for regional planning commission membership or even required membership as a condition of eligibility for a grant. Today with the concept of General Revenue Sharing and block grants on the ascendancy, these bonuses and required membership provisions have largely disappeared from the Federal scene.

The commissioners of the ten RPCs and the COG represent only the member municipalities of each organization.

As a rule, regional planning commissions are most concerned with what the commissions can do for their com-

munity. Many of the Federal and State supported activities are not viewed as being helpful to the municipal level. This concern is amplified by the commissions' chronic funding problems.

There are two factors involved in the dilemma. First, most Federal grant programs require non-Federal money to match a percentage (usually 50%, 33% or 75%) of the grant. Second, no regional planning commission raises enough local funds to finance a planning program without receiving Federal grants. The result of this makes it essential that the local money raised at town meetings go to support Federal planning programs in order to achieve a sufficient amount of total funds to hire a regional planning staff and, at the same time, be able to provide enough services to local governments so that the municipality will be willing to continue membership in the commission the following year. This delicate balancing act between Federal requirements and local wishes makes the entire regional planning commission concept a precarious one.

The commissions in Maine have found that providing technical assistance to local planning is one way of keeping communities in regional planning. Since most Maine municipalities are small and do not have the capability of employing professional planners, the local planning responsibility falls to planning boards made up of unpaid volunteers. Increasingly the State legislature has enacted legislation which requires local governments to undertake municipal planning and land use control. Zoning of shoreland areas, subdivision controls, and municipal waste control are three examples of these State mandated responsibilities. Planning commissions have taken on the role of assisting in these local planning efforts. Some commissions have progressed to the point where their members are willing to contract for local planning services beyond those they receive as a part of their normal regional planning commission assessment.

One of the best ways to view effectiveness of RPCs in Maine is to investigate the perceptions of the public toward regional planning. In general, the

public as a whole in unaware, or only mildly aware, of the existence of regional planning in Maine. This has been demonstrated in a number of instances when RPCs have attempted to initiate citizen participation programs. This is one of the major problems in the continued existence of commissions since town meeting action on an annual basis is necessary for the commissions to continue to exist. The general lack of interest and understanding is somewhat offset by the perception of some town officials who are directly involved with the commission. The group includes planning boards and conservation commissions as well as selectmen and councilmen who may have a clearer idea of what regional planning is and what it has accomplished since they are directly benefited by the commissions' activities. The ability of this group to convince their fellow citizens of regional planning's worth has so far maintained the commissions. The small cadre of substate regionalists may grow in the future

to the extent that RPCs can reach their potential to be an umbrella agency effectively coordinating substate district activities in Maine.

The perception of another group may be of importance to the future of regional planning. Line agency officials at the Federal and State levels see commissions as substate districts for functional planning and perhaps service delivery. Commissions have encouraged this through application for grant monies. It must be noted that the dichotomy between the Federal-State view and the local view of what regional planning should be is a major problem which must be resolved if the commissions are to be major actors in the future of substate activities in Maine.

In summary, regionalism definitely has its place in the governmental network. The concept needs better understanding on the part of local officials and the public. Local officials should assume responsibility for educating citizens about the need for regional or-

ganizations.

A discussion of regionalism would not be complete without a few subjective comments:

1) The rate of growth of regional districts far surpasses the growth of municipal governments. The fact that regional governments outnumber (or soon will) local units of government is not, in and of itself, alarming. The seriousness of this rapid growth in regionalism is the fact that it has occurred with little or minimal local official input and participation. Further expansion of locally-funded regional organizations in Maine should be the decision of local officials, and not made in Washington or Augusta.

2) Formation of any regional agency should meet the test of economic efficiency, fiscal equity, political accountability and administrative effectiveness.

3) Local officials should not abdicate local government responsibilities to regional agencies for political reasons.

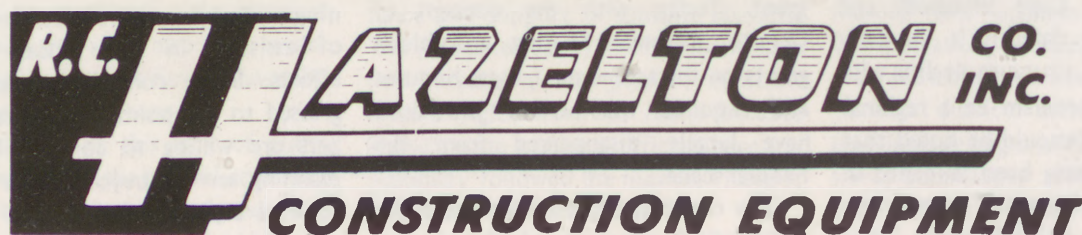
For the finest in EQUIPMENT and SERVICE call the HAZELTON "Men of Service"

**INTERNATIONAL
GALION
WARNER & SWASEY
CENTRAL ENGINEERING
OSHKOSH
FLINK**

Tractors, Bulldozers, Pay Loaders, Pay Hoes & Sanitary Land Fill Equipment
Motor Graders, Tandem Rollers, 3-Wheel Rollers, Road Planers & Cranes
Hydraulic Excavators and Cranes, Gradall Excavators
Vac-All Street Sweepers & Flushers, Hydro-Spreaders & Selecto-Spreaders
All Wheel Drive Trucks for Snow Removal and Hauling
Sand Spreaders & Baker Snowplows

Rotary Snow Blowers for Mounting on Front End Loaders, Motor Graders or Trucks — Replacement Brooms for Street Sweepers — Trailers — Cutting Edges and Wire Rope.

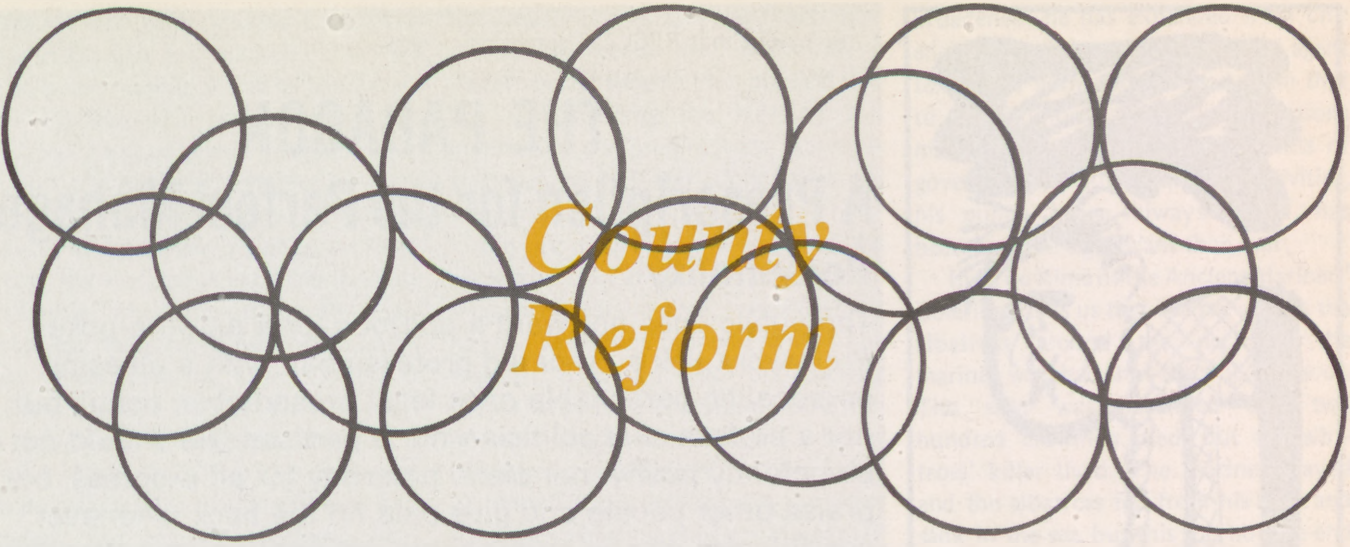
SALES SERVICE PARTS



1645 CANDIA ROAD
MANCHESTER, N. H. 03108
TEL. (603)-627-7696



199 MIDDLE ROAD
CUMBERLAND, ME. 04021
TEL. (207)-829-5503



County Reform

By John G. Melrose
Director, State & Federal Relations

In the first regular session of the 109th Legislature numerous bills were presented calling for the reform of county government. The Committee on Local and County Government responded to these proposals by redrafting LD 1038 An Act to Provide for County Self-government. The House and Senate passed LD 1038 with one additional amendment and sent it on to the Governor. The Governor declined to sign or veto this legislation and at present plans to return the Bill to the legislature for reconsideration by the Local and County Government Committee. While the Governor's specific concern appears to be the language of the provision providing a budget veto by municipalities, it is certain that legislative reconsideration will cause a much broader debate.

LD 1038 revises the existing provisions that allow a county charter form of government. The revision expands the authority of the charter commission and ultimately the county in one critical area. The commission can propose in the charter a method for making appropriations other than the current method which requires the approval of the legislature. For instance, the charter could provide the County Commissioners with the final authority for adopting the budget. While allowing this new authority, LD 1038 specifically prohibits the county from exercising "any

power or function which the Legislature has power to confer upon it and which has not been conferred on that county either expressly or by clear implication by general law or specific statute. A county may not alter the statutory method of raising money for county expenditures."

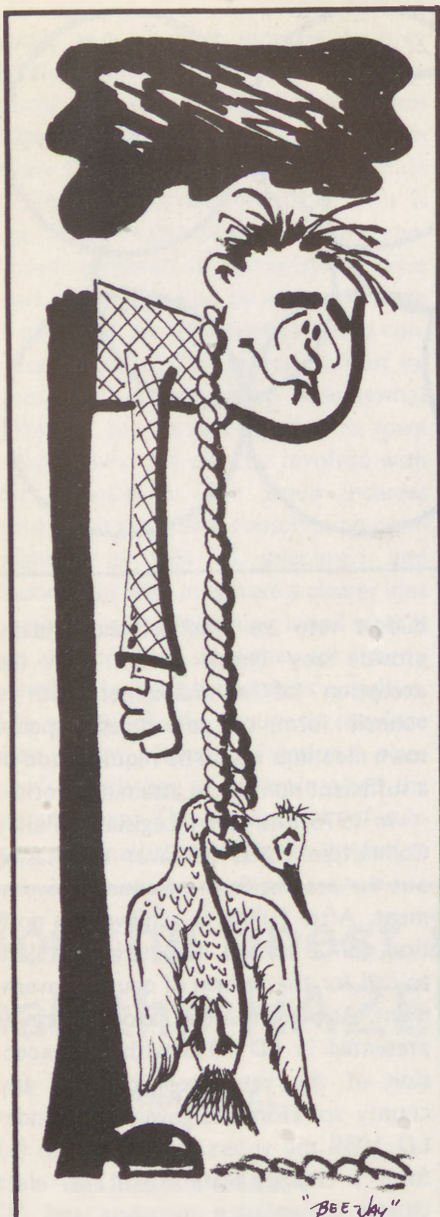
In the Committee redraft of LD 1038, a check on county budgetary authority was created which "provided that within 45 days of final adoption of the county budget the legislative bodies of the municipalities within the county may cause the budget to be recalled if the municipalities so voting represent a majority of the population of the county." This approach was amended in the House to state that the municipalities so voting must represent a majority of the municipalities within the county. The House amendment is at the center of the Governor's concerns since he believes it violates the one-man, one-vote principle.

The legislature in amending the Committee redraft was expressing its concern that the exercise of a check on county budget authority not rest in the hands of the larger communities. Several legislators stated that the larger communities already have sufficient representation from among the commissioners. The amendment and the corresponding provision in the Committee redraft raise the one-man, one-vote controversy but another critical question is also raised. Under either provision it is debatable whether the mechanics of a

budget veto are practical and actually provide any check at all. With the exception of municipalities with a council form of government special town meetings would be required and of a sufficient number to attain a majority.

In 1975, the MMA Legislative Policy Committee voted in favor of phasing out the present form of county government. After failing to achieve this position, MMA revised its position in 1978 to call for the reform of county government. At present MMA favors reform as presented in LD 1038 with the exception of the veto provision. For any county to reform its government under LD 1038 the voters would have to (1) form a charter commission, (2) elect charter commission members and (3) enact a charter. The charter could restrict the existing powers and functions within the confines of state law. For example, the charter could restrict functions presently performed with property tax revenues but allow for such functions through service contracts with municipalities. The adoption of charters locally allows municipalities the opportunity to shape their county government to meet the needs and circumstances unique to their county or to advocate the option of no change.

County government reform continues to be a goal not easily attained. In the second regular session this perplexing issue will be reconsidered. Debate may well be more extensive since there will be far fewer bills requiring legislative attention.



The Albatross Complex

By Edward F. Dow

While we cannot expect city managers to be "Paragons," we often hear that a politician has charisma or lacks charisma. The implication is that "charisma" is a necessary part of his stock-in-trade. It may include a forceful, dynamic nature, good looks, speaking ability, friendliness, a good memory for names and

THE PARAGON A Prescription for the Perfect Manager Personality

The public does not want a poltroon, or a pig-in-a-poke. Preferably pick a prepared professional, with a pleasing personality; personable or at least presentable; politic but not a professional politician nor a partisan. He should not be patently pushy, nor claim paternity for all progress, but praise other people and give pats on the back whenever possible. He can be paternal but not paternalistic, pleasant but not patronizing, positive but not petulant, peevish, prickly, or petty. He should be proud of his profession but lacking in pretense, and should not expect to be placed on a pedestal.

Public Relations

Pundits of the press expect a manager to prove himself, but want proof-positive, not mere pointing with pride. They will pick on the pedestrian plodder, call him phlegmatic (sluggish) and prone to procrastinate. A prudently pruned, planned budget may be panned as penurious, pennywise patchwork. The press will put down and plague a manager pigeon-holed as a playboy, and promptly punish the pawn of pressure groups, the panderer to politicians, or one who provides pap or patronage or plunders the public.

Policies and Programs

On being placed in a position, the manager is faced with a parcel of perplexing problems; he should not pale, but remain poised. Possibilities and potentialities can place puzzlers in perspective with proper preparation and planning. Policies can be progressive if pragmatic and practical; plan prudently, but not parsimoniously. Be people oriented; put up with pests; placate passionate petitioners; remain placid and phlegmatic (meaning cool and composed). Printed and oral reports should be prompt, pungent, persuasive, to the point; *not* pedantic.

Patience

Positions picturing greener pastures may prove to be but pallid phantasmagoria; pursuit pins the pursuer as a pathetic perpetual peripatetic. Proof of the pudding requires patience as plans and programs pend completion.

faces. It also helps greatly if he has a charismatic wife and children.

It is now admitted that an appointed administrator, such as a city manager, also needs a good public image in order to give effective administration or even to survive. No matter how difficult it may be to create and maintain the right image, the manager is expected to exert leadership, which he cannot do as an unknown, self-effacing nonentity. To be fair, honest, impartial, to work hard and eschew partisan politics is not enough in today's world, if indeed it ever was.

We have built up a myth by assiduously teaching our young men and women that honesty, efficiency and non-partisanship are what the public really wants in government. Efficiency is an abstract ideal—the public is more interested in getting what it wants from government in money, jobs and services. In reality, the “public” does not expect its government to be either efficient or honest. “Good government” would be followed by shocked disbelief, then by great disappointment. The private economy and its supporters would lose a favorite cliché—“What can you expect from government?” No longer could we wallow pleasurably in the real and fancied corruption of public officials, or dismiss them all as “a bunch of crooks” or “pigs at the public trough.” American conversation would lose much of its zip and bounce, and we would also lose that fine inner glow we attain by comparing our upright lives with public officeholders whom “everyone” knows are a lazy and dishonest bunch of paper shufflers.

But does the city manager have to be tarred with the same stick we use on other public officials? Doesn't the public know that the manager is a product of the scientific age (20th century), that he comes as a trained administra-

tor, neatly organized, packaged and coded, de-scented and de-fanged, a leader, but somewhat non-political and yet understanding the meaning and methods of compromise? The answer is a resounding NO—the public knows no such thing.

We are under no illusion that the manager's self-image and his public image will ever coincide, nevertheless he has to live with both as best he can. The manager who said that each evening before sleep he tried to think of a way he could work tomorrow for a better community was sincere, but his image of himself seems inflated. On the other hand the public image of a manager may be horribly distorted.

It may be wondered if there is any such thing as a “public image;” it may be as hard to pin down as the similar phrase “Public opinion!” Both phrases are amorphous and slippery. In order to have a public image there needs to be a public consensus of opinion on the manager, and to determine what is “public” and what is “consensus” may lead us into a wilderness of profitless semantics.

If not consensus, there are both individual and group attitudes and opinions concerning each city manager, and the manager is aware of some of the opinions, unfavorable as well as favorable. They pour in at him from the news media, the council, pressure groups, individuals. We are reminded of President Truman's, “If you can't stand the heat, stay out of the kitchen.” As long as a manager is in office, he is in the kitchen, and while he would like a good image, he may need to develop a certain amount of toughness of hide, assuring himself that he cannot please everyone. Or he may take the “ignorance is bliss” approach, trying to keep away from knowledge of criticism, an attitude bound to be largely self-defeating. It seems to me that the individual with adequate self-confidence and good mental health would take a middle course, neither dodging nor ignoring the critics. How much a manager can or should do to improve his public image must remain a matter of personal judgment and local conditions.

As the duties of a city manager have

broadened, he has expanded from city engineer and council advisor and agent to general administrator and from that to community leader, public relations man and ambassador to other units of government. With broadened activities, his public image, always crucial, has become more significant than ever.

In “The Rime of the Ancient Mariner” Coleridge tells us that the crew hung the albatross around the neck of the mariner who had shot the ship's mascot. The ship was becalmed and two hundred crewmen died, but the albatross' killer lived. The mariner prayed and the albatross fell from his neck and sank in the sea, but this was not the end of the curse. After the mariner reached port he carried a guilt complex for life, a compulsion to tell his horrid tale to strangers as he travelled from land to land.

Numerous city and town managers wear the albatross. While albatrosses come in various sizes, even a small one comprises a dead weight around the neck; and the punishment often seems greater than the crime.

Many a manager is wearing an albatross without admitting that he had any hand in the killing thereof, averring that it was foisted upon him by his enemies.

We shall examine both types of albatross wearers, the guilty and the innocent, keeping in mind that the public seldom has adequate evidence to distinguish between the two, and that there are many borderline cases.

CASE 1. The Aggressive Manager

The crowd in the great convention hall at Cleveland quieted as two men appeared on the stage to debate the upcoming 1926 municipal bond issue. Both men were attorneys, but one was City Manager W. R. Hopkins, who was advocating a \$15 million dollar bond issue to build a high level bridge across the Cuyahoga River. As we listened we knew that the political issues involved were broader than the bond issue.

Except for occasional lapses, such as the regime of reform Mayor Tom Johnson, the city had a long and almost perfect record of political thievery and corruption, often punctuated by vio-

Edward F. Dow is Professor of Government, Emeritus, University of Maine at Orono. Mr. Dow draws upon 50 years of contact with managers and their problems to depict the chief weaknesses of managers and the manager theory.

lence. Better days seemed to have come with a new charter effective in 1924, and the selection of the irrepressible Hopkins as city manager for the 800,000 people in Cleveland. From the outset Hopkins initiated and sponsored policies. His opponents used this fact in attacking him and the manager plan, and Hopkins was ousted after six years in office. The city council charged him with "Usurping the policy determining powers of the council." The manager plan was dropped two years later, although city government had undoubtedly greatly improved during the eight years of the manager system.

Opponents of the manager system had carefully built up a public image of Mr. Hopkins as an undemocratic despot. They went on to claim that the manager plan was undemocratic and therefore should be repealed. However, Mr. Hopkins did not destroy the manager plan in Cleveland. First, the reform group was not large or well organized, and was never able to win a majority of the 25-member council. As a result the

major party bosses and their organizations remained in place. Mr. Hopkins was chosen by the Republican majority, but subsequently refused to play ball with the party leaders and was thrown out of the ball park. Secondly, public ignorance and apathy, evidenced by the small numbers of voters expressing their opinion in several charter recall elections, allowed the plan to be killed in 1931. With less than 45 percent of the registered voters expressing any opinion on the charter, the change was carried by fewer than 10,000 votes.

Without the aggressive leadership of Hopkins the manager plan might have been killed more quickly. How aggressive should a manager be?

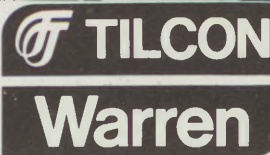
CASE 2. The Non-aggressive Manager

The appointing power of the manager is one of the most frequent causes of conflict with the council. What image does the non-aggressive manager conjure up to his council, or to the news media and the public? The

position of police chief is closely followed by that of fire chief in degree of sensitivity. A charter may state that a police officer "shall be appointed by the city manager, subject to confirmation by the council." In a 1973 situation a newsman concluded that the role of the council was merely to confirm, not to take an active part in the choice. Having allowed the council to take an active part in the selection of heads of two new departments in the past year, the manager may have created a precedent which led to a demand that the council be allowed to interview candidates when a vacancy occurred in the position of fire chief. When a manager gives up even a small portion of his prerogatives he may expect further aggression from the council, in what the above newsgatherer termed "the almost traditional struggle everywhere for the power to guide the community's destiny."

How To Acquire A Poor Image

- A poor image may result from



P.O. Box 209
Fairfield, ME 04937



SAME POSITIVE PRODUCT

**Our cationic asphalt emulsion has been well received
by our municipal customers.**

**It is available in all grades, and with our
technical service.**

**As always, it's positively economical
and energy efficient**

BE POSITIVE GO CATIONIC

**Maine Division Hdqtrs.
Fairfield, Maine
453-9381**

**Fairfield, Maine
453-9706**

**Portland, Maine
797-7386**

**Medway, Maine
746-5636**

**No. Berwick, Maine
676-5505**

**Farmington, N.H.
(603) 755-3553**

minor faults, unrecognized or not considered important by the manager. For example, one manager had a desk always overflowing with the unfinished business, magazines, and trash mail.

- A manager who always kept his desk clear was criticized as not having enough to do.

- A manager on his first job thought to save himself and wife from unnecessary annoyance by having his home telephone unlisted.

- A first manager in a small community with a volunteer fire department was a fire buff, always among the early arrivals at a fire, and with a tendency to take over command.

- Managers who wish to preserve the fiction of an open door policy while having uninterrupted time to work may use a variety of stratagems with the help of their secretaries. Phone calls are relatively easy to handle, but the caller who arrives at the office is likely to be told anything except that the manager is

working on the budget in his nearby hideaway.

- At the other extreme there is the manager who bows his guests in, bows them out, shakes hands both ways, and listens sympathetically to all complaints and requests. What the guests imply to be promises are not fulfilled and they feel let down.

- One genuinely friendly manager wore a habitual smile—nothing seemed to perturb him as he went calmly about his work. Some thought his smile a fixed and artificial pose, others were disturbed that he appeared to make light of their serious problems. On balance, probably the smile was an asset.

- A major criticism of managers and the city manager plan has been the rapid job turnover. The vast majority of manager communities in New England are small towns, paying small salaries. The councils complain that if they hire college graduates the town serves as a training ground which will soon be

deserted by the trainee. A strong backlash may result in hiring local men who will stay longer in one place, thus shutting off many opportunities desperately needed by the college graduates. Thus the quick change artist may ultimately do the profession, and the small towns, a disservice. Also, if he keeps on skipping to what he believes are greener pastures he may acquire an image inimical to his own well-being. Furthermore, the higher pay may blind him to serious disadvantages in the new area, such as poorer schools, climate, recreational facilities.

- First impressions. A young town manager was explaining to a group of college students that, while he had found problems in getting and keeping his job, most problems could be solved by using common sense. Yet not only the young, but often older and more experienced persons are evidence that both finding and applying the prescription require an uncommon amount of "common sense." First impressions made by the written job application and the following interviews often determine whether the candidate is hired. The first impressions the new manager makes on the council, municipal employees, and the general public, will often determine his future.

CAMP DRESSER & McKEE INC.

One Center Plaza
Boston, Massachusetts 02108
617 742-5151

*environmental engineers, scientists,
planners, & management consultants*

CDM

Built-in Obstacles To A Favorable Public Image

Tradition, human nature, and the nature of the manager-council plan oftentimes appear to conspire against ready acceptance of a manager by his publics.

Public apathy and ignorance. Most pervasive and difficult to combat are public apathy and ignorance about local government. There is a natural tendency to concentrate on one man, so that if the citizen knows there is a city manager, he talks about the "manager" or "manager plan." The council is diminished in the public eye, the manager is magnified. Thus the council position tends to have little prestige, the manager's job is assumed to have great power and consequently the public assigns undue responsibility to the job. Critics of the council-manager theory

SEA
S E A Consultants Inc.
engineers / planners

Boston, MA Rochester, NH Winthrop, ME

maintain that this makes good councilmen hard to attract and is the greatest weakness of the plan. Ask your "average citizen" what he knows about the choice, tenure and removal of the manager, and what division of powers and duties exists between manager and council and you will get little solid information. He will tend to equate "manager" and "manager plan," blaming each for the alleged faults of the other.

Manager plan variations. If all council-manager plans were basically alike, the public might have a clearer concept as to what a manager should be like. Minor variations in charters do not matter so much as do wide variances in state laws and local charters as to the relative powers of councils and managers. Also these powers are often couched in vague or ambiguous language.

One of the more confusing elements

found in many parts of the U.S. is the position of the "mayor." Because of the long tradition of the mayor as an elected person combining political and administrative authority, it confuses citizens to have both a mayor and a manager under the same roof. Although the "mayor" is selected in various ways and has powers ranging from ceremonial to administrative, a common result is confusion as to lines of authority, a confusion often extending from the two principals to other city employees, the council, and the general public. Without passing judgment on the long debated wisdom of having a mayor of some kind, it appears that any kind is bound to create problems of identity, authority and public knowledge.

Period of adjustment to the "new" idea. The vast majority of U.S. municipalities do not yet have the council-manager system, and whenever a com-

munity does adopt it, there is a more or less painful period of readjustment to the "new" idea. There will be suspicion and prejudice toward the first manager which will make his task difficult. The degree of difficulty will depend on the size of the opposition and on the determination and influence of its members.

Adjustment to the first manager. The first manager will also be under attack if he is (a) an outsider, (b) young and inexperienced, (c) not acquainted with local problems. These are obstacles which he may outlive; if he can hang on they will all pass in due time.

City councils favoring special interests. A few years ago an American residential suburb in the Midwest could have acquired a subsidized public housing project, but the local council opposed the idea because home owners claimed their property values would be jeopardized. The truth was that the new housing would be open to blacks as well as whites. Before the project could be started, the council took the tract of land on which the houses were to be built for the declared purpose of making it a public park. The municipal manager was active in behalf of the land acquisition, raising neither moral nor constitutional objections. Had he been strongly opposed, what action should he have taken? He could keep his opinions to himself; to speak out might have cost him his job. The prevailing community opinion would then surely hold that he killed his own albatross and deserved his fate.

Conflict of interest problems are numerous and difficult to solve. Conflicts are hard to define, sometimes illegal, sometimes merely unethical. The following cases are from three states.

Case 1. A manager who brought suit against a general contractor for shoddy work was promptly fired by the local council, several of whose members were tied to the contractor directly or through friends or relatives. Aroused citizens demanded that the manager be reinstated, and he was, but resigned soon afterward. Reinstatement may have cut off the albatross, but will he ever be completely free of the curse? Should he have stayed on after reinstatement?



SCS ENGINEERS

STEARNS, CONRAD AND SCHMIDT
Consulting Engineers, Inc.

Civil and Environmental Engineers

Specializing In:

- Solid Waste Management
- Hazardous Waste Management
- Municipal Recycling System Implementation
- Water Resources Planning
- Wastewater Planning & Design

124 State Street
Augusta, Maine 04330

(207) 623-1103



*engineering, architecture,
landscape architecture
and planning*

WHITMAN & HOWARD, INC.

ENGINEERS AND ARCHITECTS

45 WILLIAM STREET, WELLESLEY, MASS.
151 MAIN STREET, WESTBROOK, MAINE
TEL. — (207) 856-6300

Case 2. A manager refused to buy fuel from the only local dealer, without competitive bidding. The dealer was a member of the town council, and the manager lost his job and was not able to secure another managerial position for some time. The word went out that he could not get along with the council, and was hostile toward local business.

Case 3. Similar to case (2), but the manager hung on and the oil dealer was defeated in his bid for re-election.

Vulnerability of local administrators. There are two categories of top local administrative positions in U.S. local government. In the first category are those positions where the administrative power is legally retained by elective officials. The claim is made that the system is thus democratic and responsive to public desires. There are three sub-types: (a) the New England town where the First Selectman is in effect a part-time or full-time administrator with the sup-

port and formal ratification of his administrative acts supplied by the remaining numbers of the board; (b) the Administrative Assistant to the Board of Selectmen; (c) the Chief Administrative Officer, appointed by and responsible to the mayor in some mayor-council cities. In all three sub-types the administrator is characterized by a lack of legal power, the strong possibility of partisan domination over his administration, and in types (b) and (c) the constant danger of removal. Type (a), the selectman, was cheap and often quite efficient, but appears to have become outmoded.

Type (b) is a splendid plan from the viewpoint of a board of selectmen, for they retain authority without responsibility, being able to give the administrative assistant most of the work and plenty of leeway when affairs go well, while able to hang an albatross around his neck when things go wrong.

The chief administrative officer (type

c) is a big help to a part-time mayor, and also gives him the advantage of power without responsibility. There are those who see the strong mayor with his chief administrative officer as the wave of the future, especially in the large cities. To succeed, there must be an adequate supply of dedicated professionals, but these men will not be available in any quantity until: (1) the selection is non-political and based only on professional ability; (2) the position is given the necessary prestige through adequate and non-varying administrative authority exercised without personal or party interference; (3) there is a reasonable assurance of job security; (4) salaries and fringe benefits are comparable to the responsibility of the job. Mayor-council cities ready to meet these criteria could cooperate in setting up a Chief Administrative Officer system with assurance of improved administration.

The second category in local administrators is made up of town, city, village, and county managers. Given more or less definite authority, they are not as subordinate or vulnerable as the administrators in category one. There has also been a discernable trend toward safeguards against arbitrary removal. Some communities also feel that a term contract of from one to three years gives protection to the municipality as well as the manager.

Without denying the necessity for strong powers of council appointment and removal, it is evident the authority may be used unfairly and unwisely. However, specific managerial powers, and protection against arbitrary removal can seldom stand against council pressure to conform to council desires even on matters which are clearly administrative. Then there is that wide gray area which can be defined either as administrative or policy-making where the council and manager may honestly disagree, but the manager can be forced to give in or resign, whether he is right or wrong.

During the '40s and '50s so many small towns in Maine adopted the manager plan through the 1939 enabling act that for several years no other state had as many manager communities. Why

RUNYON, KERSTEEN, OUELLETTE & CO.
Certified Public Accountants
482 Congress Street
Portland, Maine 04101
207-773-2986

Providing accounting, auditing and consulting services for:
 Municipal Governments
 School Departments and Districts
 County Governments
 State and Federal Grants



Civil, Structural
Mechanical, Electrical
Energy Management
ENGINEERING
 Construction Management

ALIBERTI, LaROCHELLE & HODSON

ENGINEERING CORPORATION INCORPORATED
 436 Main Street, Lewiston, Maine 04240 (207) 783-2058

did this happen in a conservative state? The most obvious explanation has been that the chance to save money on local taxes had been demonstrated in a few manager towns in Maine in the '20s and '30s.

In many of Maine's manager towns there has been support or lack of opposition to the change from the town fathers (selectmen). An unproven but plausible explanation is that many of the selectmen, grown old in service, but not wishing to give up control of local affairs, saw a chance to have someone whom they could control in charge of the increasingly legal and technical duties of local government. It is unquestionably true that there has been frequent conflict between selectmen and managers in manager towns in Maine and throughout New England. These clashes have sometimes been due to the frequently broad powers of the selectmen to determine the scope of the

manager's authority. If the selectmen can give the manager the positions of tax collector or town clerk, they can likewise rescind such action.

Defining Jurisdictional Lines Through The Job Interview

A candidate being interviewed for a managerial position may try to get the council members to give him a clear picture of the division of powers they have in mind. If the candidate has been a manager or worked for a municipality he may be able to extract useful information to help him decide whether he will accept the position if offered. Likewise answering the candidate's questions may help the council to make a choice, and a council experienced with the manager plan will usually volunteer to explain their attitude on council-manager relationships. However, if the community is hiring its first manager, the

council will be unable to give the candidate much help on the division of powers it expects to exist, or if the candidate is inexperienced he will not know what questions to ask.

We must also realize that job interviews are expected to produce more than can realistically be possible. Suppose an interview does take up such matters as the appointment and removal powers of the manager. One or more members of the board may be absent; each person present will have a different version of what was said; memories will fade; members of the board elected later will not know what was said, nor consider themselves bound, and even the original board members may consider a pre-hiring interview as having no legal or moral force.

Defining Lines of Authority Through Practice

The New England town fathers and their appointed manager, as managers and councils everywhere, have had to learn their roles by acting them out, that is, by practice. As Clarence Ridley said in his notable study *The Role of the City Manager in Policy Formation*, (1958) the success of the manager-council form of government depends on the will of the manager and council to work together for the good of the community. Unless this is done, the council-manager plan will not fulfill its possibilities.

The Abdicating Council

Too many town and city councils are found heading in the wrong direction by crowding *too much authority and responsibility on the manager*. It may reach the point where councils do not meet for weeks on end, and even then act perfunctorily to approve or ratify the manager's proposals or acts. Not only is this undemocratic in fact, it also sets the manager up as a convenient scapegoat for the council.

When the town fathers want to use the manager either as an errand boy or as a scapegoat, the people do not have the council-manager plan, but a caricature thereof.

TOWN MANAGERS & SELECTMEN

We provide audits for municipalities and water districts at *reasonable* prices. If audit can be done after town meeting, off-season rates will apply. Quotations gladly given.

BRYANT M. BROWN & ASSOCIATES, PA
114 Maine Street Brunswick, Maine 04011
Tel: 725-8574

**AERIAL PHOTOGRAPHY & TOPOGRAPHIC MAPPING
CIVIL & SANITARY ENGINEERING
MUNICIPAL REVALUATIONS } & ANNUAL UPDATING SERVICE
MUNICIPAL MAPPING**

JAMES W. SEWALL COMPANY



147 Centre Street

Old Town, Me. 04468
Tel. (207) 827-4456

COMPARE JOHN DEERE

When you go looking for a 4-wheel-drive loader in the 80 to 150 net horsepower class, you owe it to yourself to compare. What kind of features does it offer as standard equipment? What do you have to add as options? What kind of dealer support can you get?

At John Deere, you won't have to ask all of these questions. All three of our 4-wheel-drive loaders, the JD444, JD544-B, and JD644-B, come factory equipped with the features you need for top machine production.

When John Deere designs a machine, it's designed as a complete unit. All major production features are included right at the start. There's no need to add a lot of options. In fact, some standard features offered by John Deere aren't even available as options on some competitive machines.



JOHN DEERE on the move

Court Rules in Fairfield Welfare Case

By Kenneth L. Roberts
Assistant Editor

Pine Tree Legal Assistance Inc., saying it fears that municipal officials will misinterpret a recent Superior Court judge's opinion upholding maximum levels of welfare assistance with additional aid provided in emergencies, has appealed the ruling to the Maine Supreme Judicial Court.

Even after acknowledging to a wire service reporter shortly after the opinion was announced that "I'm not sure we don't have everything we want" from the ruling which went against their client, Pine Tree attorney Kim Vandermeulen said the appeal was filed, in part at least, "to get the message across to local welfare officials that they can't crack down on the poor."

At issue specifically is a decision of the Town of Fairfield which denied additional assistance to a couple under the guidelines of general welfare ordinance adopted by the Town.

But the case is important generally to Maine communities, because it contests the legality of the ordinance, which was drafted by the MMA, and is currently being used in over 300 municipalities.

It is of further concern because Maine's general assistance benefits are already among the most liberal in the nation, and any court decision requiring they be further increased would cost millions of dollars.

Attorney Peter Beckerman, representing the Town of Fairfield, successfully argued that the Fairfield ordinance contains a safety clause, under which, if a welfare recipient faced the imminent loss of utility service, "the absolute level of assistance would be waived, and the town would legitimately be asked to pay utilities so people don't freeze to death. That's always been part of the

ordinance."

What started out as a routine welfare case in Fairfield last winter, has been turned into a statewide legal issue by Pine Tree's taxpayer-supported attorneys who have even attempted to make a federal case out of it by claiming the couple denied additional benefits for fuel bills has been denied their rights to equal protection under federal statutes which broadened the civil rights accorded all citizens under the 14th Amendment to the U.S. Constitution.

But Somerset Superior Court Judge Lewis Naiman, for one, disagrees. He ruled last month that "Since the plaintiff's needs have been adjusted and exigencies beyond their control can be considered as they arise, I see no justification for further involvement by the court in the administration of general assistance to the poor and needy in the Town of Fairfield."

Last July, Pine Tree amended its brief in the case in an attempt to make the case of the Fairfield couple a class-action suit, which would have included all Fairfield residents who had been denied, or would in the future be denied, assistance because of the maximum allowable guidelines.

Justice Naiman, however, in also denying the class-action classification of the case, ruled: "Each individual applicant who applies for assistance in the Town of Fairfield is a separate and distinct case and must show need to determine eligibility; income from all sources; and verification of necessary and essential expenses claimed, in order to qualify. There is no common basis for Class Action. . ."

Pine Tree saw Judge Naiman's ruling in the case as meaning that towns "cannot apply absolute assistance levels hard and fast" but must allow exceptions.

Most communities do allow excep-

tions, and in fact, Fairfield had twice allowed exceptions to the very couple which initiated the suit, when they claimed that even the additional funds were insufficient for them to pay fuel bills. The elderly couple was being allotted \$256 a month in assistance, the maximum allowable under the Fairfield ordinance, and including their SSI funds, had a monthly income of \$408.57.

In his ruling, Justice Naiman found that:

"The Town of Fairfield's General Assistance Regulations are within the purview of the enacting statute;

That one exception to the absolute level does not contravene the purpose of the statute for general assistance;

That the establishment of a maximum level for specific classifications is not arbitrary and does not violate the Constitution's Equal Protection Clause, where, as here, the applicant, if denied assistance in the first instance, is entitled to a Fair Hearing, and if, as here, exceptional circumstances and exigencies are shown to exist, absolute levels may be waived and immediate needs may be accommodated."

Pine Tree's filing of its appeal with the Maine Supreme Judicial Court, means the conclusions in the case reached by Justice Naiman will be further tested, as will Maine's municipal welfare ordinances.

Pine Tree in Maine operates from nine different offices with more than 75 employees, including at least 30 attorneys, which prompted the Bangor Daily News to editorialize recently "... Pine Tree Legal Assistance Inc., a taxpayer-supported defender of low-income people which has burgeoned in Maine and has become almost as omnipresent as black flies in June."

According to PTLA executive director Michael Feldman it's only going

to get worse.

"It's a matter of money. When it comes to general assistance the smaller towns just don't have the money to give out. The way the system is run now is a shame. It needs a massive infusion of federal money."

He added, "especially in the smaller towns most of the selectmen are as poor as the low income people who have needs. It's a question of poor people telling the poorer people that they are going to stay poorer."

While currently guesstimating that about 10 Maine municipalities are in litigation with Pine Tree on general assistance, he added "it's going to get a lot worse."

Legislative Preview

By John G. Melrose

Director, State & Federal Relations

The Second Regular Session of the 109th Legislature may be limited severely in the amount of legislation to be debated but no person should conclude that the degree of controversy will be equally restricted. On its first cut, the Legislative Council approved only 57 legislative proposals for admission as bills. These came from a total of 369

proposals filed by Legislators. More legislation will be entered as Legislators appeal the Council's decisions and when the Governor introduces his legislative package.

Of the 57 bills to be considered, few are of major importance to municipalities. Representative Nelson of Machias has been approved to enter a bill pertaining to tree growth and Representative Locke of Sebec also has approval for a bill to allow negotiation of cost sharing formulas for school districts. The Nelson bill would exclude shoreland from tree growth classification. It is assumed by many that this bill will be expanded to provide comprehensive reform of the tree growth law. Other matters of interest, which will be considered, include the privacy of school personnel records and municipal retirement benefits under the Maine State Retirement System.

Beyond the tree growth and SAD controversy, the Legislature can be expected to address such hot items as county government reform, adjusting the school subsidy index, highway financing, the solvency of the retirement system and energy conservation. The Governor is expected to address these items in his legislative package. It is clear that the Governor and the Legislature face a particularly stiff challenge in meeting financial demands without a tax increase. It is already apparent that an increase will be advocated in the gas tax.

The Legislature may also have to consider several initiative bills presently gathering signatures. Reimbursement for tree growth and tax exempt property losses as well as a proposal allowing the break-up of SADs are of major concern to municipalities. Other initiative measures cover nuclear power, the milk commission, the death penalty, gun control, legislative salaries and billboards.

In summary the upcoming session promises to be lively.

Education Funding

In a meeting of the State Board of Education on December 12, the recommendations of Education Commissioner Harold Reynolds Jr. were approved relative to the financing of education for fiscal year 80-81.

Highlights of the recommendations, which will not be forwarded to the Governor, include a reduction in the subsidy index from the present 9.6 mills to 9.25 mills and an adjustment in local leeway from the present per pupil rate representing the lesser of 1.3 mills or \$125 to 1.2 mills or \$135. The total cost to the state would be within current appropriation of \$199,000,000.

It was revealed at the meeting of the Board that there was a 3.8% decrease in elementary pupils and a 2.0% decrease in secondary pupils between October 1978 and 1979. Increased expenditures from 77-78 to 78-79 amounted to 7.8%. Within the recommendation approved by the Board is a 9.0% increase in the per pupil cost for elementary education and an 8% increase for secondary education pupils amounting to a cost per pupil of \$1,083 and \$1,398 respectively.

For communities, the 9.25 subsidy index raises \$164 million minus \$6

million for the pay-in factor to equal a local share of \$158 million or 46.03%. This compares with the present local share of \$148.4 million or 46.4%. These figures and in particular the cost sharing between state and local are somewhat artificial since a local expenditure for education exceeding \$18 million is not entered into the calculation. Once this expenditure is considered the true picture reveals a local share of the *total* cost of education approximating 51%. This \$18 million expenditure is from units that are appropriating locally above and beyond the leeway provision.

The total rise in the so-called basic education allocation, is from \$323.9 million to \$345.8 million or roughly \$22 million. Of this increase municipalities must raise nearly \$10 million. With respect to local leeway the State traditionally has maintained a 40% State and 60% local balance. Actual 1979-80 figures show a 36% State/64% local effort. If the present law were used in 1980-81, that percentage would change to 30.3%/69.7% due to increased State valuations. Raising the per pupil amount to \$135 and lowering the millage to 1.2 mills would create a relationship of 38.3% State/61.7% local.

Energy Mobilization Board

"A Legislative Frankenstein" is what Stuart Langton, editor of CITIZEN PARTICIPATION, calls it. The drama began to unfold several weeks before Halloween when the U.S. Senate passed the Priority Energy Project Act of 1979 (S 1308). On November 1, the House of Representatives passed its version of that Act (H.R. 4985). And, in mid-November, the curtain went up for the final act with the appointment of senators and representatives to the conference committee which will resolve differences in the two bills.

The legislation was called for by President Carter to speed up energy projects. Popularly referred to as a "fast track" system, the Act creates a three-person Energy Mobilization Board (EMB) with power to hasten decision-making on energy projects. While proponents see this as a necessary step toward meeting our energy needs, opponents see it as a potential monster that poses constitutional threats and which will be counterproductive as a means of achieving energy independence more quickly.

Strong opposition to the legislation has come from all major associations of local, county and state officials, including the National League of Cities. Proposals to create an energy mobilization board are "one of the most significant changes in intergovernmental relations in recent years," says Alan Beals, NLC executive Director.

The entire Senate Energy Committee was appointed to the conference committee, thus excluding Sens. Edmund Muskie (D-Maine) and Abraham Ribicoff (D-Conn.). Senate conferees will thus be united behind S. 1308, the Energy Committee's bill that had been opposed by Muskie and Ribicoff.

House conferees more nearly reflect the divided sentiments of that body. The prime sponsor of the successful House bill, Rep. John Dingell (D-Mich.), was appointed, as well as Rep. Morris Udall (D-Ariz.), sponsor of the unsuccessful

version supported by the National League of Cities.

In the midst of debate over the controversial legislation to expedite siting and construction of priority energy projects, the Congressional Budget Office released figures showing the added bureaucratic cost of the Energy Mobilization Board (EMB). The figures, based on the Senate version, estimate a cost of \$47 million for the first five years of EMB's operation.

CBO did not estimate costs for local and state governments that must trans-

fer funds and personnel to make fast decisions on energy projects, but it did predict substantial costs. Neither Senate nor House bill provides financial assistance to local and state governments to comply.

The conferees will have to resolve major differences in the bills, primarily on the issues of enforcement of decisionmaking deadlines and the waiver of laws by the EMB. In a letter to the conferees, last week, NLC Executive Director Alan Beals urged them to give EMB the option of enforcing decision



Christmas Gifts

To your enemy, forgiveness.
To an opponent, tolerance.
To a friend, your heart.
To a customer, service.
To all men, charity.
To every child, a good example.
To yourself, respect.



A. E. MARTELL COMPANY, INC.

P.O. Box 707 · Congress Street · Keene, New Hampshire 03431
Telephone (603) 352-3030

MANUAL ONE-WRITE SYSTEMS FOR MUNICIPAL ACCOUNTING
SAVE TIME AND REDUCE MISTAKES. . .

MUNICIPAL GENERAL ACCOUNTING SYSTEM

Ledger cards in a posting tray replace bulky general ledger and distribution books. The Treasurer's Warrant is prepared and expenses posted simultaneously as checks are written.

PAYROLL SYSTEM

In one writing, this system prepares the check and statement of earnings and deductions, individual earnings record card, and the payroll journal.

TAX VALUATION BOOK AND BILLING SYSTEM

With one typing, this system provides the Valuation Book, Commitment Book, an Assessors Workbook, the taxpayer's bill and address, ready for mailing in a special window envelope.

RECEIPTING SYSTEMS

One-write Tax Collector's, Treasurer's or Town Clerk's Receipts are posted simultaneously as they are written, eliminating the need for duplicate receipts and separate posting.

- Single Operation Assessing-Tax Collection System.
- One Operation Municipal Payroll System.
- One Operation Municipal Accounting System.
- Post Binders Standard Forms.
- Tax Collectors' and Treasurers' Receipt Books.
- Uniform Commercial Code Forms System.

Contact us for all your Forms requirements for Manual, Machine or Computer use at the above address and phone number or our local Sales Representative:-

STAN LYONS
P.O. BOX 790
SANFORD, ME. 04073
324-0696

deadlines in court. Both bills allow the EMB to make a decision in lieu of the local government laws, if the local government misses the EMB deadline on energy project decisions. Beals also asked conferees to require that the president give his approval when EMB supplants local officials to make a decision.

On the waiver issue, NLC reiterated its support for the Senate bill, which allows no waiver of existing laws. The House bill allows waiver of federal laws or requirements that prevent siting or construction of an energy project. But the language in the bill is so vague that it may subject a number of state and local laws to waiver. President Carter has also asked that the waiver of existing laws be eliminated.

Both bills allow the EMB to waive local, state or federal laws enacted after a priority energy project is under way. However, the House bill requires two-house congressional and presidential approval in any waiver of future laws; NLC has endorsed this requirement as a protection against abuse of the waiver power by EMB. Congressional approval will also make the waiver more arguably constitutional.

NLC also urged conferees to permit

the board to temporarily suspend future laws, rather than permanently waive them. The House bill gives EMB an option to temporarily suspend or waive.

The Senate bill's judicial review provisions were also endorsed by NLC. The Senate bill allows judicial review of the reasonableness of deadlines set by EMB for local governments to make decisions. The House bill allows no challenge to EMB's actions, except on constitutional grounds.

NLC urged the conference committee to specifically require the application to EMB of "sunshine" laws and the Freedom of Information Act. "An agency with such unprecedented powers should be required to deliberate in full public view and should provide public access to the information on which it will base its far-reaching decisions," said Beals.

The conference committee began meeting in late November. Senate and House leadership have requested Congressional action on this legislation to be completed before Christmas recess, scheduled to begin December 14. However, according to Dennis Bass of NLC, it is unlikely that the conference committee will be able to iron out the

differences between the two bills by that time.

Final action taken by the Congress on this legislation could have a serious impact on the State of Maine, according to a spokesman from the State Office of Energy Resources.

The possibility of more countries joining with Iran to boycott foreign oil shipments to the United States or speculation that the Administration would decide to take drastic steps to curtail the country's dependence on imported oil could provide the scenario for immediate action on priority energy projects.

Under this legislation and under these conditions, the EMB would have the authority to speed up decision-making on energy projects and to override state and local laws when it deemed it necessary.

Unfortunately, Maine meets all the bureaucratic criteria for large scale energy projects. The siting patterns looked for by federal energy planners include (1) remoteness from population centers, (2) large quantities of cooling water, and (3) deep water along the coast.

"It's scary as hell," said one state OER official. (*Parts excerpted from NATION'S CITIES WEEKLY*).

WRIGHT · PIERCE ARCHITECTS · ENGINEERS

99 MAIN STREET	TOPSHAM, MAINE 04086	725-8721
25 VAUGHAN MALL	PORTSMOUTH, NH 03801	436-0174
99 MARKET STREET	LOWELL, MA 01852	452-8938
DOWNTOWN MALL	CARIBOU, MAINE 04736	496-3541

**FULL SERVICE CONSULTANTS
GOVERNMENT AND INDUSTRY**

**ARCHITECTURE • COASTAL ENGINEERING
ENVIRONMENTAL ENGINEERING • ENERGY MANAGEMENT
PLANNING • SURVEYING • STRUCTURAL ENGINEERING
MECHANICAL ENGINEERING • ELECTRICAL ENGINEERING
CIVIL ENGINEERING • CONSTRUCTION ADMINISTRATION**

MARKS PRINTING HOUSE

— Established 1876 —

THE PINE  TREE LINE

Printing, Binding, Forms,
Record Books, Tax Bills,
Receipts, Election and U.C.C. Forms
Carefully prepared to comply
with Maine Statutes

Call or write for free catalog.

163 Middle St.
P.O. Box 384, D.T.S.
Portland, Maine 04112
Telephone 207-772-4573



The MMA Executive Committee met Dec. 5 at the Local Government Center and made appointments to key positions and committees, discussed an auditor's report on the Association's financial program, and the proposed budget for 1980.

Executive Committee Makes Appointments, Discusses Budget

The MMA Executive Committee met on Dec. 5 and made appointments to key committees, discussed a draft report on the Association's financial management program and a proposed MMA budget for 1980.

Dana F. Connors, city manager of Presque Isle for the past 11 years and serving in his third year on the MMA Executive Committee, was appointed vice president of MMA by President Ronald E. Stewart, South Portland city manager, with the approval of the MMA Executive Committee. Nancy Bushell, Naples selectwoman, who resigned the post in November to enter a family restaurant business, will be succeeded by Connors, who will serve the remainder of her term which was due to expire with the 1980 convention.

Mayor Wilfred J. Bell, mayor of Caribou and a member of the MMA Advisory Committee, was appointed to serve on the Executive Committee to fill the vacancy created by Connors being appointed vice president.

Appointed to fill vacancies on the Legislative Policy Committee were Richard Chick, town manager, Poland;

John Bubier, town manager, Lisbon; Marshall Hills, town manager, Winthrop; H. Dale Green, town manager, Lincoln; Ruth Ham, selectwoman, Shapleigh; Arthur Ellingwood, councilman, Hampden; and Johnathan Carter, selectman, Sanford.

The Executive Committee accepted the report on MMA's financial management and data processing operations prepared by the accounting firm of Peat, Marwick, Mitchell & Co. That report recommended hiring a Director of Finance and Administration to provide improved internal fiscal management of the Association's finances, and this is being done.

Other recommendations included making improvements to the accounting system, updating computer software programs, and re-assessing the Group Health-Major Medical Plan procedures. Methods of following those recommendations are being considered by the Committee.

The Executive Committee also discussed at length the proposed budget for 1980 submitted by Executive Director Christopher Lockwood, which

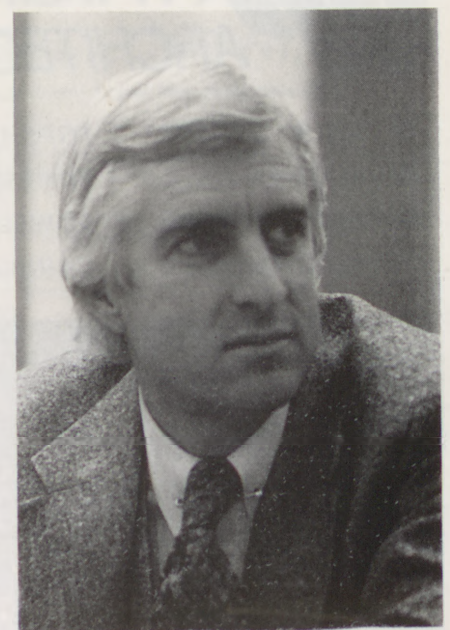
does not call for any increase in the dues formula, and final action will be taken on the budget at a meeting scheduled for Jan. 4.

Lockwood told the Committee that the proposed budget would enable the Association to continue its present range of services to member municipalities, and broaden them to include emphasis on financial management assistance programs, and a stronger effort toward restoring the credibility of local government, without an increase in the dues formula.

Dues Notices

MMA membership dues notices for 1980 will be mailed the week of Dec. 17 to 21, following action on the MMA budget by the Executive Committee at its meeting on Dec. 5.

Any final decisions on that budget by the Executive Committee at its Jan. 4, 1980 meeting will not affect the dues figures for municipalities. The MMA dues for 1980 do not reflect any increase in the dues formula, however, the dues for some municipalities may reflect a change from 1979, due to changes in population or valuation. Any questions concerning dues should be referred to the MMA Accounting Office.



New MMA Vice President
Dana F. Connors

People

Mildred Merrill is the new mayor of Rockland, becoming the first woman to hold the title in the city's history. She replaces Warren Perry, who did not seek re-election to his council seat. Winner of that seat on the council was Bruce Kinney, former superintendent of SAD #5.

Dana Wardwell, Oliva Jacques and Wilman McFarland were elected to three-year terms on the Bucksport Town Council, topping four other candidates for the posts, including incumbent Dorothy Seekins. Ms. Jacques had been filling an unexpired term on the council, and winner of that council seat over two other candidates was Donald Millett.

Oops. We goofed in September's People column and had the wrong person appointed as administrative assistant to the board of assessors in Skowhegan. It's actually Cynthia Cole.

Lloyd Nadeau, a fireman for more than 25 years, has been appointed chief of the Kennebunk Fire Department, filling a vacancy created by the death of the former chief, Lewis H. Burr.

Thomaston selectmen have accepted with regret the resignation of Fire Chief George Grafton, who had served in the post for 14 years and "will remain in the department to assist in any way I can."

Incumbent Dexter councilors Roger Brawn and Arlene Page won re-election over two competitors, including a former town clerk.

Three men running as a team have been voted into the Fairfield Town Council. William Hagerty, David Dostie and Donald Giroux Sr., all former councilors, were elected to the posts over two incumbents, Dorothy Poulin and Richard Stoehr.

Ronald Dyar has been elected to the post of second selectman in Strong.

Arthur L. Grayson and Richard D. Nadeau have been elected to Bath City Council seats, and R. Allen Gaul and Timothy C. Rioux have been re-elected. Two of the posts opened when Council Chairman Herbert T. Caverly and veteran Councilor David M. McKellar decided not to seek re-election. It was the first time in recent years that council candidates were elected only by voters in their wards, more than 43 per cent of the registered voters cast ballots, and more than 100 new voters were registered on the day of the election.

Three farmers have been elected to the Fort Fairfield Town Council over three incumbents. The winners were Peter Levasseur, Richard Shaw and James Cassidy. Defeated were John Rogers, Wilfred Bernard, and Brian Thibeau.

David H. White won a Brunswick Town Council post from incumbent David Scarponi, who resigned so that White could be seated immediately. Robert Shepherd won a contest for an at-large council post vacated by Margaret T. Westcott.

High school teacher James Lyford has won a four-way race for a Presque Isle City Council seat vacated by chairman Frank Hayes.

Philip R. Bennett Jr., a former state legislator, and incumbent Hugh C. Pierson won a five-way race for two seats on Caribou's council.

Ernest Baker, Gerard Poulin and Robert LaRochelle have all been re-elected to the Winslow Town Council, the latter two running unopposed.

Yarmouth Police Chief Robert Goyette has left for a similar post in Southborough, Mass.

Saco, home of Maine's only local tax limitation, has something else new—the entire seven-member City Council. Four incumbents who sought re-election were beaten, while three others chose not to run. The seven new councilors are Van Psomiades, James Gourdouros, Stanley Kozloff, Linda Valentino, Curtis Scamman, Bruce Burns, and Marlene Lombard. The race for mayor was declared a tie between incumbent J. Haley Booth and challenger Roderick Potter,

DIRECTOR OF PUBLIC WORKS

The City of Waterville, Maine, population 17,300, is seeking an experienced Public Works Administrator to direct the activities of a 37-man department with a 1.4 million dollar operating budget. Areas of responsibility include streets, solid waste, sidewalks, forestry, street lights, airport and central garage. Develops long-range plans for public works improvements. Requires a minimum of 6 years of progressively responsible management and experience in public works environment. Salary open. Send resume to: Director of Personnel, City Hall, Common Street, Waterville, Maine 04901. APPLICATIONS CLOSE JANUARY 15, 1980.

CITY ENGINEER

The City of Waterville, Maine, population 17,300, is seeking an experienced registered (ME.) graduate Civil Engineer with a minimum of 6 years' experience. Would allow a maximum of 6 months for engineer to become registered in Maine. Duties include engineering design; estimating and inspection of streets; recreation; building; airport construction; contract administration; preparation and administering State and Federal funded programs concerned with airports, highways and solid wastes; municipal planning activities; supervision of building inspection and codes enforcement. Salary open. Send resume to: Director of Personnel, City Hall, Common Street, Waterville, Maine 04901. APPLICATIONS CLOSE JANUARY 15, 1980.

and a new election was scheduled for Dec. 19. And, speaking of that tax cap, Saco voters determined by a 3-2 margin that they don't want it raised.

Thomas Mercier Sr. and James Pooler won election to the Brewer City Council, and the new council elected Gerald Robertson as mayor, a job he has held frequently during his 32 years of service on the council.

Duane P. Brasslet of Old Town is the new fire chief of Orono. He had been assistant chief of fire services at UMO before his appointment.

Mayor Paul R. LaVerdiere won convincingly for a second term as mayor of

Waterville and will be working with five new councilors, Paul A. Boudreau, Joey Joseph, Joseph B. Ezhaya, John L. Thomas Jr., and Lester Giguere. Daniel L'Heureux and Mrs. Anne M. Hill retained their council seats.

James M. Friedlander, executive director of the Champaign, Ill., Regional Planning Commission, has been appointed executive director of the Greater Portland Council of Governments.

Richard H. Hayden has won election to an unexpired term on the Yarmouth Town Council.

Ronald Rice and Jasper Wyman have won seats on the Pittsfield Town Council.

James Finkle has resigned as town manager of Vassalboro.

Mrs. Claire A. Porter won a seat on the Bangor City Council, following the steps of her late husband who was on the council and served as mayor. Re-elected to second terms on the council were Paul F. Zendzian and Barbara McKernan. The new council elected third-year Councilor Albert Weymouth to serve as mayor.

Former Saco mayor, Samuel M. Zaitlin has been appointed to the board of the state Department of Environmental Protection.

George Mayo of Milo has been selected to head the Property Tax Division, State Bureau of Taxation. Mayo has been a career employee with the Bureau, most recently serving as deputy director of the Property Tax Division. He replaces Norman Ledew who retired in July.

George R. Ingraham has been elected town clerk of Lovell to fill the unexpired term of Donna Wilson, who resigned. He will also serve as deputy tax collector, treasurer and registrar. He has appointed Roberta M. Chandler to serve as deputy clerk.

Roger L. Frechette is the new mayor of Biddeford, and the members of the council will be Fernand G. Marcotte, the first Republican on the council in more than 20 years, Richard P. Potvin, Fernand Genest, Arthur Lavoie, Donald A. Cote, Michael G. Morin, Gerard Lehouz, Gerard Soulard, Alan Casavant, Donald Marchand, and Catherine Goudreau.

Classified

POLICE CHIEF—Applications are being accepted for the position of police chief in Limestone, Aroostook County. Applications will be received until Jan. 7, 1980. Previous experience desired. Salary negotiable with fringe benefits. Send resume to: Chairman, Board of Selectmen, 284 Main Street, Limestone, Maine 04750.

FOR SALE—Ambulance 1972 International on a Travelall 1210 chassis in "as is" condition. Can be viewed at Brunswick Fire Department at Town Hall Place. Inquiries may be directed to Chief Gary Howard. Tel. 725-5542. Sealed bids shall be received in the office of the Town Manager, 28 Federal Street, Brunswick, ME 04011 until 11 a.m. January 12, 1979 at which time they shall be publicly opened and read. Minimum bid \$2,000. Envelope shall be clearly marked **AMBULANCE BID**.

PROPERTY MANAGER—Year-round position for versatile individual with good communication skills. Day-to-day administration and long-term planning for 200-home island vacation community in Lake Sebago, Maine. Knowledge of personnel management, budgeting and accounting, shoreland zoning and land management important; recreation and food service experience helpful. 1,000-acre physical plant includes water and car ferry systems, clubhouse, golf course, swimming pools, rec hall and general store. Summer staff of 30 persons. This is a challenging, interesting position for an energetic, well-skilled administrator. Send resume stating experience and salary requirements to: James D. Kilcommons, President, Frye Island, Inc., 39 Fairwood Drive, Pembroke, MA 02359.

Brian Braley Resigns



Brian Braley, a member of the MMA staff for nearly eight years, resigned as

director of Personnel Services at the end of November to become the personnel director for the City of Concord, N.H.

Braley has worked with the Personnel Services division since coming to MMA and for the last two years has directed the division. In addition to having supervisory responsibility for the division, Braley handled labor negotiations, personnel audits, pay studies and position classifications on a contract basis for several MMA member communities.

George Hunter has been named by MMA Executive Director Chris Lockwood to succeed Braley. Hunter, at the time of his appointment, was personnel specialist with MMA. Former MMA labor relations specialist, Robert Curley has been retained by the Association to handle the labor negotiations work.



NEWS

FROM AROUND THE STATE
AND CITY HALL



Oakland: The Town Council has established a 15-member Economic Development Committee for the town and charged it with identifying problems, establishing priorities, studying alternatives, developing programs and financial arrangements and bringing recommendations to the council.

Searsport: The Port Committee here has lauded two Maine companies and a British firm for aiding in the first significant export of Maine lumber since the days of the sailing ships. The shipment of the 3.6 million board feet of lumber valued at \$1.5 million last month is only the first in what Maine International hopes will become monthly shipments out of the port to the world export market.

Auburn: The City Council was scheduled to meet on Dec. 17 to set a date for an election on a \$5 million tax ceiling ordered by a citizen petition containing 2,793 signatures. Balloting on the issue may be held on January 29. If approved, the ceiling would represent a cut of some \$1.4 million currently raised by the property tax, and would make Auburn the second community in the state to be operating under a tax limitation.

Sanford: Selectmen have failed to obtain bids from six gasoline suppliers for fuel for town vehicles for the year ahead. "Replies from six firms contacted about the bidding indicated that the current (price) situation is too unsettled to submit a bid," said Board of Selectmen Chairman Gerard Savage.

Freeport: Four new committees have been created by the Town Council: A school construction committee, a harbor study committee, a solid waste committee, and another to study the nature and extent of drug and alcohol

abuse in the community. Many citizens have volunteered to serve on the committees and three of them were filled in a month, and the fourth will be by the end of the year.

Wiscasset: The town has a new lease-operator for its airport and it will be back in operation this month. Abigail Tonry, 23, of Post Mills, Vt., a flight instructor, has reached an agreement with the town to operate the airport which has been closed since October when the former manager discontinued the operation.

Bath: The City Council, for the first time in five months, has received an up-to-date financial statement. Finance Director Ralph St. Pierre had inherited a situation where the city's financial books were six months behind, and he got them updated and made the report to the council last month.

Madison: After hearing the angry reaction of citizens to a tax increase at the last town meeting, selectmen held a public hearing to sound out public opinion before beginning their budget review. Only 19 citizens attended, but their message was clear, "sharpen your pencils" and "no tax increase."

Machias: More than 200 persons have signed a petition calling for a special town meeting to establish a complete listing of all taxable properties, the formation of a three-member budget committee, and adoption of a line-item budget format for each municipal department.

South Portland: City Councilors have given final approval to a long-term agreement with a local firm that will result in significant development and improvement of the municipal marina.

Brunswick: Under a swell of unrelenting public protest and the threat of legal

action, the Town Council has denied a Brunswick Sewer District request to build a sewage composting plant on the 70-acre town commons.

Edmunds Territory: By a vote of 95 to 104, citizens here decided to retain the state subsidized safety of a territory and not venture into the unknown financial world of becoming a town.

Bangor: By a better than 2- to -1 margin, voters here have approved a city charter amendment which will institute a recall mechanism whereby elected officials can be removed from office.

Windham: Voters have approved by a wide margin building a new \$147,000 town garage. Pictures at the polls of the present town garage, a converted cow barn at the town's former poor farm, may have helped sell the issue.

Rockport: This community may have the wealthiest library anywhere. It sold the Eastman Johnson painting "Sugaring Off at the Camp" for \$320,000, and after the art gallery commission, has \$240,000 in profit. Selectmen and the library committee have agreed the selectmen will handle investment of the funds and that the profits of those investments will be used exclusively for the library.

Washington County: Voters here have soundly defeated a proposal to form a triple district voting system for the election of county commissioners.

Fort Fairfield: The community is currently involved in three major projects: The Puddle Dock Dam Project of about \$400,000 has been awarded and work on it will begin in the spring; a \$175,000 agri-industrial park on 38 acres of land; and a \$110,000 subdivision on 50 acres which will allow 102 additional house lots and 2,000 feet of road.

Legal

Incompatible Offices

Question: May a full-time county deputy sheriff hold a municipal office?

Answer: No, 30 M.R.S.A. §951 which governs the appointment of deputy sheriffs provides a clear answer to this question. It specifies that "(a) full time deputy shall not hold any other municipal, county or state office. . ."

(By W.W.L.)

Payment of Delinquent Taxes

Question: Our 1977 tax liens are due to expire on a Saturday, when the town office is usually closed. Can we accept payment on the following Monday?

Answer: Delinquent taxpayers should of course be encouraged to pay as soon as possible, but if the last day of the eighteen-month statutory redemption period falls on a Saturday, Sunday or legal holiday, payment may be made on the following business day. 36 M.R.S.A. §4(3). If payment is made by U.S. mail and is postmarked on that day, it is considered timely even though it may not actually be received until a later date. 36 M.R.S.A. §4(1)(A).

(By R.P.F.)

Omitted Tax

Question: What constitutes an "omitted" tax which an assessor may supplementally assess under 36 M.R.S.A. §713?

Answer: Until recently an assessor could make a supplemental assessment under 36 M.R.S.A. §713 only where he

or she determined that (1) an estate which was subject to taxation was completely omitted from the assessment or that (2) the tax on an estate was invalid or void due to illegality, error, or irregularity in the assessment of that estate.

An amendment to section 713 (P.L. 1979, c. 31) which became effective on September 14, 1979 now permits an assessor to supplementally assess an "omitted tax" as well. An "omitted tax" is a tax which was raised by the municipality to fund its municipal budget or to pay its portion of the state

or county tax, but which was omitted by the assessor from his or her assessment or commitment through error or inadvertence.

Supplemental assessment may not be used where the value of an individual price of property was inaccurately recorded in the valuation book and was not corrected before commitment. *Dresden v. Bridge*, 90 Me. 489. Nor may an assessor make a supplemental assessment where part of an individual piece of property was omitted from assessment. *Sweetsis v. Chandler*, 98 Me. 145.

(By B.I.W.)

Municipal Calendar

JANUARY 1980

S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

JANUARY 1—New Year's Day—a legal holiday (4 M.R.S.A. §1051, 20 M.R.S.A. §801).

—Interest starts on unpaid state taxes on this date (36 M.R.S.A. §892).

—Permits for automobile junkyards issued during past year lapse on this date (30 M.R.S.A. §2452).

—New licensing requirements, fees for dogs go into effect (P.L., 1979, ch. 492).

—P.L. 1979, ch. 562 goes into effect revising certain fees and allowing others to be determined locally.

—New fees for fish and game licenses go into effect (P.L. 1979, ch. 543).

JANUARY 10—Municipal expenditure statement and claim for reimbursement to be sent to Division of General Assistance, Department of Health and Welfare, Augusta (22 M.R.S.A. §4499).

ON OR BEFORE JANUARY 15—Town clerks shall forward to Commissioner of Inland Fisheries and Wildlife funds collected for licenses during previous calendar month, together with a list of the persons and the kind of license or permit issued to them. (12 M.R.S.A. §7074(1)).

JANUARY 10—Municipal expenditure statement and claim for reimbursement to be sent to Division of General Assistance, Department of Health and Welfare, Augusta (22 M.R.S.A. §4499).

JANUARY 10-15—Town and city clerks shall make return of vital statistics to Department of Health and Welfare, Division of Vital Statistics (22 M.R.S.A. §2702(2)), and in cases involving non-residents, to other municipalities (22 M.R.S.A. §2702(3)). Towns over 25,000 population have until January 25 to make return.

BY JANUARY 20—Treasurer of State to send notice to chief municipal officer of maximum interest rate which can be charged on delinquent taxes (36 M.R.S.A. §505).

BY JANUARY 25—Owner or occupant of real estate must be notified in writing of tax auction sale personally or by registered mail, at least 10 days before first Monday in February, if collector's tax deed method is used to enforce delinquent taxes (36 M.R.S.A. §1073).

DURING JANUARY—Selectmen should have bills in and prepare for town report. Obtain reports from all departments: schools, roads, etc. Arrange to have annual audit made before town meeting.

BY JANUARY 30—Of each year a copy of the record containing complete information for all municipal records disposition during the previous calendar year shall be filed with the Municipal Records Board, Maine State Archives, State Capitol, Augusta, under regulations promulgated by the Board pursuant to 30 M.R.S.A. §2215.

The opinions printed above are written with the intent to provide general guidance as to the treatment of issues or problems similar to those stated in the opinion. The reader is cautioned not to rely on the information contained therein as the sole basis for handling individual affairs but he should obtain further counsel and information in solving his own specific problems.

Index for 1979

Legal Notes

Court Appearance Fees	January
Moderator Voting	February
Moderator Absence	February
Article Changes	February
Candidates' Presence	February
Residency Requirements	March
Ordinance Reminder	March
Filling Selectman Vacancy	April
Zoning Changes	April
Incompatible Offices	May
Assessing Fishing Boats	June
Zoning Ordinance Adoption	July
Subdivision Permit	August
Assessment Record	August
Laws Effective	August
Confidentiality of Records	September
Town Constables	October
Traffic Ordinances	November
Incompatible Offices	December
Omitted Taxes	December
Payment of Delinquent Taxes	December

Legislation

Legislative Preview	January
Federal Budget	February
State Budget	February
Tax Exemption Report	March
Interim Legislative Report	April
GRS Drops	May
Legislative Report	June
GRS Audits	July
Congress Reconvenes	September
Minimum Wage	September
Section 504	October
Bond Issues	October
GRS Uncertain	November
Coalition For Tax Relief	November
Legislative Preview	December
Energy Mobilization Board	December

Maine Municipal Association

John Salisbury Resigns	January
President Ingraham Interviewed	January
Personnel Changes	February
"Local Government In Maine"	March
Lockwood Executive Director	March
New Staff	May
Convention Announcement	June
Aroostook Meeting	June
Fair Hearing Manual	July
Municipal Laws Manual	August
Convention Preview	September
Convention Highlights	November
Executive Committee Meeting	December
Brian Braley Resigns	December

Personnel

Hiring Right Person	January
Gravel Pit Operators	January
Personnel System	August
Affirmative Action	August

Assessments

Municipal Appeals Successful	February
Full Value Tax Rates	February
To Appeal, Or Not	February
Day Of An Assessor	February
Revaluations	March

Community Development

Construction Projects	April
Roadway Planning	April
Farmlands Preservation	May
Developments	May
Energy Concerns	May
Maine Street, Maine	May
CD Pre-Applications	July
Land Use Manual	August
Land Use Workshops	August
Winter Recreation	November
Mobile Home Ordinances	November
HUD Rural Grants	December

Energy

Cooperative Purchasing	February
Energy Plans	February
Energy Problems	July
Energy Crunch	September
DOE Program	September
Energy Assistance	October

Finances

Evaluating Municipal Condition	April
Management Grant	June
Tax Limitations	October
Restoring Credibility	October
Zero Base Budgeting	October
Buying Insurance	October
Financial Management Project	October
GRS Uncertain	November

Hazardous Materials/Waste

Regulations	June
Disposal	June
Transportation	June

Human Services

Services for Elderly	November
Welfare Case	December

Intergovernmental Relations

Cutting Red Tape	January
Forms Control	January
NLC Delegates—Congress	March
Governor's Municipal Advisory Council	April
Municipal Officials' Day	May
Governor's Municipal Advisory Council	July
County Reform	December
Regionalism	December
Interlocal Cooperation	December
Hiring Process	August
Living With Unions	August
Holiday Leave	August
Manager Exodus	August

Pollution Control

Rodent Problem?	February
Kennebec River Conference	July

Public Relations

Effective Communications	March
Press And Government	March
Citizen Participation	March
Public Service	May
Marketing Services	May
Citizen Participation	August
Restoring Credibility	October
Local Government Best	November
The Albatross Complex	December

Municipal Accounting

A Municipal Accounting course will be offered at Eastern Maine Vocational Technical Institute, Hogan Rd., Bangor for 15 weeks starting Wednesday Jan. 9, 1980. The program is primarily designed for municipal officials who need specific knowledge of accounting principles and practices for Maine municipalities.

The accounting equation, net budgets and gross budgets, as well as periodic reports of revenue and expenditures needed for sound financial management will be covered.

The texts used in the program will be *Model Finance and Accounting Procedures* by Robert Reny and *A Manual of Municipal Accounting for Small Towns in Maine* by John R. Perkins, PA.

The Maine Municipal Tax Collectors' and Treasurers' Association has endorsed the program and will offer credits toward certification to those municipal tax collectors and treasurers who successfully complete the course.

Further information on fees and registration may be obtained from the Adult Education Director at EMVTI in Bangor.

100%

GETTING YOUR TAX BILLS LATE FROM
YOUR SERVICE COMPANY? WE DEVOTE
FULL TIME TO MUNICIPALITIES.

ASK THE OFFICIALS IN:

SCARBOROUGH
CUMBERLAND
CAPE ELIZABETH
YARMOUTH
SOUTH BERWICK
OLD ORCHARD BEACH
GORHAM
LYMAN

WE BELIEVE IN:

1. PERSONAL SERVICE
2. ACCURACY
3. PROMPTNESS

CALL OR WRITE: RUSSELL J. ROBAR
MUNICIPAL COMPUTER SERVICES INC.
90 South Street, Hingham, Mass. 02043
Tel 617-749-5053

DEPOSITORS TRUST COMPANY

Member FDIC

★ Municipal Services ★

Tax Anticipation Loans
Bond Anticipation Loans
Investment Assistance
Computerized Tax Billing
Computerized Payrolls

Contact Rick Ogradnik at Depositors in
Augusta (623-4721, Ext. 361) or inquire at
any branch of Depositors Trust
Company, Depositors of Aroostook,
Depositors of Eastern Maine, or
Depositors of Southern Maine.



Professional Directory



**environmental
engineers, inc.**

two chenell drive, concord, n.h. 03301 (603)228-1334
424 main street, sanford, m.e. 04073 (207)324-7008

- Water Pollution Control
- Facilities Planning
- Solid Waste Management
- Industrial Waste Treatment
- Water Supply and Treatment
- Energy Management

affiliate of the WASTE group



Appraiser
Broker
Consultant

Real Estate Services
NORMAN A. GOSLINE

Two Central Plaza
Augusta, Maine (207) 622-6169



A.E. Hodsdon
CONSULTING ENGINEER
2 SILVER ST., WATERVILLE, ME.
04901

- Sanitary Design
- Water Treatment Design
- Site Development
- Subdivision Layout
- Heating & Ventilating
- Rate Studies

HARDWICK FENCE CO.
DIVISION OF HARDWICK CORP.
BOX 28, PALMYRA, MAINE 04965

ALL TYPES OF CHAIN LINK &
CEDAR FENCING

Tennis Courts & Accessories — Ballfields
Overhead-type doors — Flag poles
Playground equipment — Swimming pools

FREE ESTIMATES
Tel. 938-2611

BH2M BERRY • HUFF •
McDONALD • MILLIGAN • INC.
ENGINEERS AND SURVEYORS

36 Main Street
Gorham, Maine 04038
839-3240

2 Stilson Street
Sanford, Maine 04073
324-1236

- + Water Supply
- + Highway Engineering
- + Water Pollution Control
- + Coastal Engineering
- + Solid Waste Management
- + Recreational Facilities

MARKS PRINTING HOUSE
163 Middle St.
P.O. Box 384 D.T.S.
Portland, Maine 04112

THE PINE TREE LINE

*Specializing in Printing for
Maine Municipalities*

Call or write for free Catalog and price
lists (207) 772-4573



**Main-Land
Development Consultants, Inc.**
ENGINEERING
SOIL TESTING
LAND SURVEYING
LAND PLANNING
FORESTRY

BOB JAMISON
Land Planner
(207) 897-6752 Office
(207) 897-2365 Home

P.O. BOX 0
LIVERMORE FALLS, MAINE 04254

CE MAGUIRE, INC.
Architects • Engineers • Planners

19 Commercial St.
Portland, Maine 04101
(207) 775-6585

DOTEN ASSOCIATES
Engineers & Surveyors
Civil, Structural
Land Surveyor

10 Summer Street
Augusta, Maine
04330

Telephone
207-623-4543

**IES SHOUP VOTING
MACHINES**
Exclusively Manufactured By
**INTERNATIONAL Election
Systems Corporation**
Broad Street & Railroad Avenue
Beverly, New Jersey 08016
(609) 387-4200

Expert computerized tax billing
services for municipalities for over
18 years

ALSO

Mini-Computer/Software Sales and Service
Call 781-2260



366 U.S. Rt. 1, Falmouth, Maine 04105 (207) 781-2260

STANLEY W. BARROWS CMA
Certified Maine Assessor
*Real Estate Appraisals/Tax Equalization
Property Tax Analysis and Appeals
Commercial and Industrial*

P.O. Box 560
Waterville, Maine 04901
Tel: 207 873-4144

Land Use Consultants, Inc.
966 RIVERSIDE STREET PORTLAND, MAINE 04103 207-797-8187
LAND PLANNERS ENGINEERS SURVEYORS

Serving Municipalities From
Rockland To Fort Kent
With Real Estate Appraisals & Reviews
LOWELL T. SHERWOOD, JR. ASA
Senior Member - American Society of
Appraisers



18-20 State St.
Bangor 942-4626

W.H. SHURTLEFF CO.
Bulk Rock Salt — Calcium Chloride
Snow Fence
Traffic Signs — Posts — Pipe
Auburn-Portland-Brewer-Rockland
Fairfield-Presque Isle, Maine

C E B

C. E. BEAL ASSOCIATES INC.
CONSULTING ENGINEERS
CIVIL, SANITARY, STRUCTURAL



One Memorial Circle
Augusta, Maine 04330

CURT E. BEAL
President

(207) 622-3061

**dale o.
caruthers co.**
civil & sanitary engineers
MASONIC BUILDING — GORHAM, MAINE 04038
TELEPHONE 207-839-8751

*Ground Water Specialist
Sanitary Landfill Investigations
Erosion Prevention Studies*

ROBERT G. GERBER
PROFESSIONAL ENGINEER
CONSULTING GEOLOGIST

ASH POINT ROAD
SOUTH HARPSWELL, MAINE 04079
207-833-6334

STATE OF MAINE
CULTURAL BUILDING
ME 04330
AUGUSTA
THE STATE LIBRARY
SAMPLE

OUR SECOND SURGICAL OPINION PROGRAM CAN HELP ELIMINATE DOUBT AND DOLLARS.

Sometimes two heads are better than one, especially when an important step such as surgery is being considered. Blue Cross and Blue Shield of Maine will provide coverage (for those who are eligible) for a second opinion by an independent certified surgical specialist. All a member has to do is call (toll free) the Second Surgical Opinion Referral Information Center at 1-800-452-1970 and they will help in locating an independent surgeon for a second opinion. In all cases, the final decision regarding surgery is made by the member.

This is just one more way that Blue Cross and Blue Shield of Maine is providing more services to members and exercising cost containment in the healthcare system.

Take a second to look at our Second Surgical Opinion Program. Send for the free brochure by filling out the coupon below.



**Blue Cross
Blue Shield**
of Maine



Mail to: **Blue Cross and Blue Shield of Maine**
110 Free Street, Portland 04101

Please send a copy of "Second Surgical Opinion" to:

Name

Address